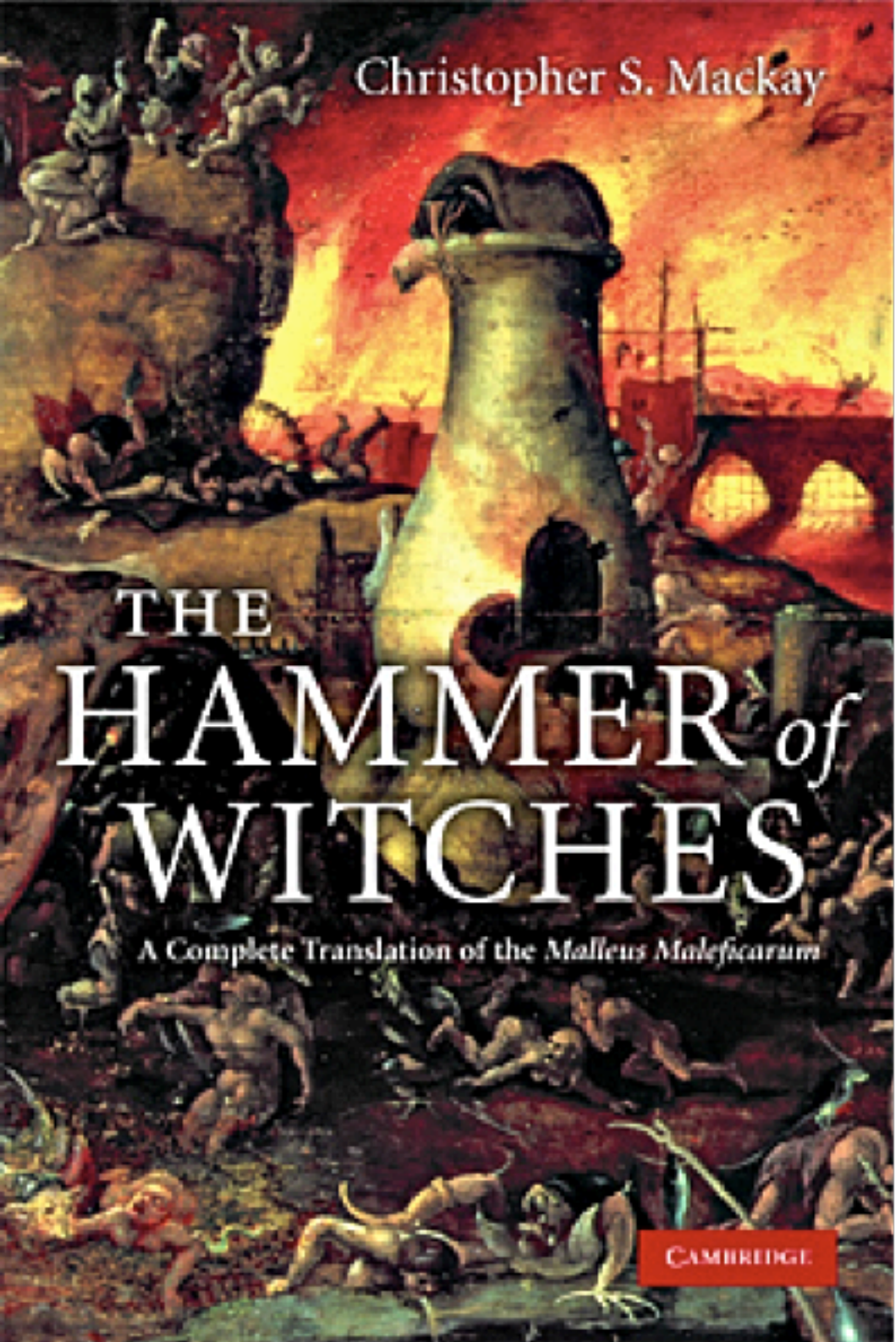


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# THE HAMMER OF WITCHES

The *Malleus Maleficarum*, first published in 1486, is the standard medieval text on witchcraft and it remained in print throughout the early modern period. Its descriptions of the evil acts of witches and the ways to exterminate them continue to contribute to our knowledge of early modern law, religion and society. Mackay's highly acclaimed translation, based on his extensive research and detailed analysis of the Latin text, is the only complete English version available, and the most reliable. Now available in a single volume, this key text is at last accessible to students and scholars of medieval history and literature. With detailed explanatory notes and a guide to further reading, this volume offers a unique insight into the fifteenth-century mind and its sense of sin, punishment and retribution.

Christopher S. Mackay is Professor in the Department of History and Classics at the University of Alberta. He is the author of, among many books and articles, *Ancient Rome: A Military and Political History* (Cambridge University Press, 2005).

# THE HAMMER OF WITCHES

*A Complete Translation of the* Malleus Maleficarum

CHRISTOPHER S. MACKAY

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*Kelliae meae*
*Coniugi atque adiutrici*
*optimae*

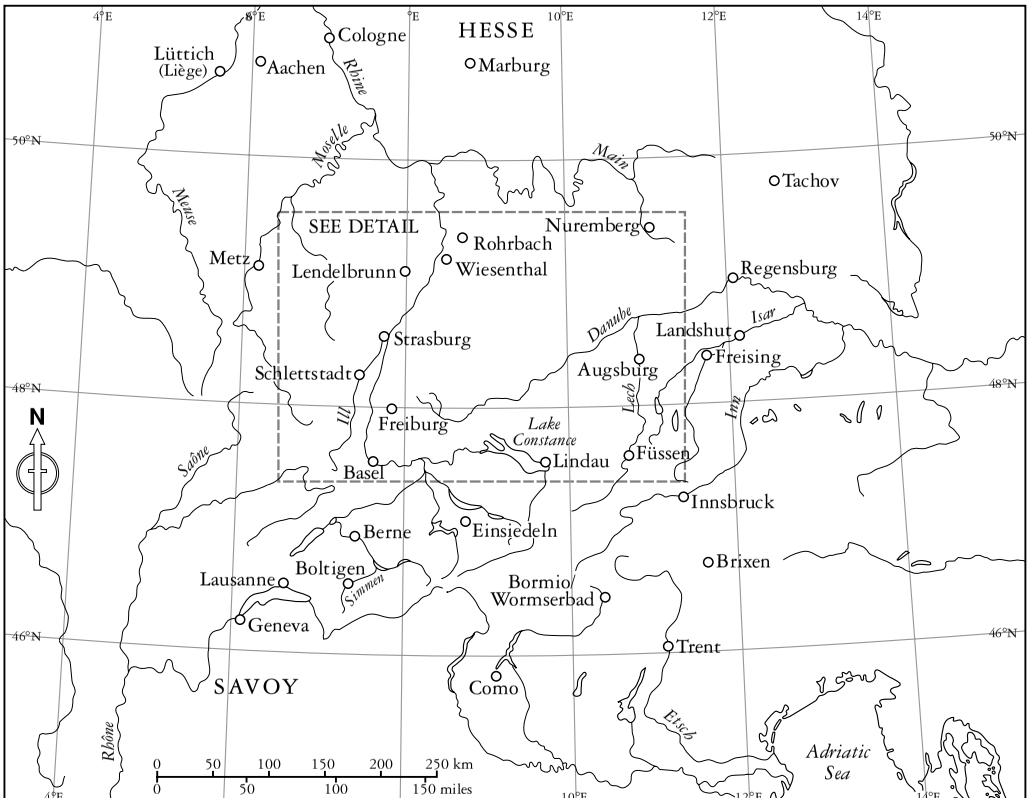
# *Contents*

*Maps* *page* viii

Introduction 1
Authors 2
Purpose of the work 6
Composition and publication of the work 7
Outline of the work 12
Sources 16
Disputed questions 17
Intellectual context 19
Role of women in sorcery 25
Historical background 27
Overall assessment of the *Malleus* 31
Suggestions for further reading 39
Notes on the translation 42
(a) Method of making references to the text 42
(b) Sources not from canon law 42
(c) Citations of canon law 52
(d) Outlining of the disputed questions 55
(e) Remarks on certain words in the translation 56
(f) Difficulties with grammatical gender 58

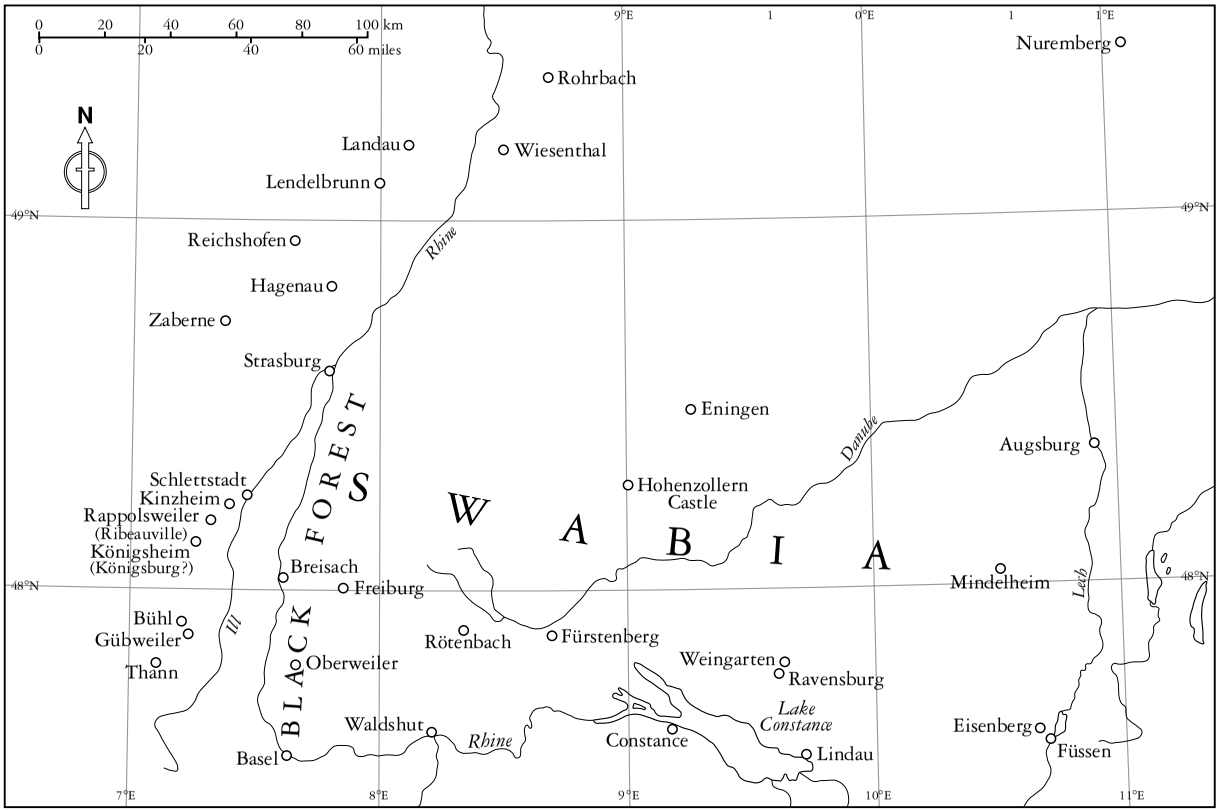
THE HAMMER OF WITCHES (*MALLEUS MALEFICARUM*) 59

# *Map 1*




Southern Germany and surrounding areas

# *Map 2*




Southern Germany

# *Introduction*

The *Malleus Maleficarum* is undoubtedly the best known (many would say most notorious) treatise on witchcraft from the early modern period. Published in 1486 (only a generation after the introduction of printing by moveable type in Western Europe), the work served to popularize the new conception of magic and witchcraft that is known in modern scholarship as satanism or diabolism, and it thereby played a major role in the savage efforts undertaken to stamp out witchcraft in Western Europe in the sixteenth and seventeenth centuries (a series of events sometimes known as the "witch craze"). The present work offers the reader the only full and reliable translation of the *Malleus* into English,[1] and this introduction has a very specific purpose: to set out for the reader the general intellectual and cultural background of the *Malleus*, which takes for granted and is based upon a number of concepts that are by no means self-evident to the average modern reader, and to explain something of the circumstances of the work's composition and the authors' methods and purposes in writing it. That is, the aim here is the very restricted one of giving the reader a better insight into how the work would have been understood at the time of its publication. Hopefully, this will help not only those who wish to understand the work in its own right but also those who are interested in the later effects of this influential work.

At the outset, a word about terminology. As is explained later (see below in section e of the "Notes on the translation"), for technical reasons relating to the Latin text, male and female practitioners of magic are called "sorcerers" and "sorceresses" respectively in the translation,

[1] There is another modern English translation in the form of P. G. Maxwell-Stuart, *The Malleus Maleficarum* (Manchester and New York: Manchester University Press, 2007). This is only a partial translation (it merely summarizes large portions of the text in order to stay within some arbitrary length prescribed by the publisher) and is based on a late edition of the text (Frankfurt, 1588).

and the term for their practices is "sorcery." In the preceding paragraph, the term "witchcraft" was used, but this term comes with a lot of unwelcome modern baggage that can only serve to confuse the strictly historical discussion that follows. Accordingly, "sorceress" and "sorcery" will henceforth be used in place of "witch" and "witchcraft" to emphasize the point that what we are dealing with are the notions that were held about magic and its practitioners in the late medieval and early modern periods.

In view of the intended audience, the material here is largely laid out very briefly as a straightforward discussion without elaborate footnotes or citation of relevant authorities. Apart from the further reading given at the end, the reader who wishes to learn more detail about the various topics or to find out specific citations of sources is directed to the far more elaborate General Introduction to be found in volume 1 of my bilingual edition entitled *Malleus Maleficarum* (Cambridge University Press, 2006).

## AUTHORS

According to the Author's Justification of the *Malleus*, there were two authors – Jacobus Sprenger and an unnamed collaborator – whose respective roles in the composition of it are not specified. In the public declaration that constitutes the Approbation of the work, Henricus Institoris indicates that he and his colleague as inquisitor, Jacobus Sprenger, wrote the *Malleus*. There is some dispute about this joint authorship in modern scholarship, but, before turning to this, we should look at what is known of these two men.

As both men were Dominican friars, a few words about this institution may be helpful. The Order of Preachers (the official name of the order) was founded in the early thirteenth century to combat heresy. Though Dominicans took the same sort of vows of poverty as monks, these friars did not withdraw from the secular world by joining a monastery, but lived in society as part of their mission to root out heresy and enforce orthodoxy among the laity. Since the Order was intended to subvert heretical opposition to Church teachings, the Dominicans soon became involved in theological studies in order to sharpen their skills in spotting and rebutting heretical views. Hence, there was often a close connection between the local Dominican convent and the theological faculty at a neighboring university. These skills made it natural for the papacy to appoint Dominicans as inquisitors into heretical depravity.

Jacobus (the Latinized form of Jacob) Sprenger was born in about 1437, and presumably came from the area of Basel, as he is first attested joining the Dominican convent in that city in 1452. He went on to become an important figure in the Dominican Order, and was mostly associated with the convent of Cologne and the university of that city. Sprenger eventually became a professor of theology, serving as an administrator in both the theological faculty and the university as a whole. Sprenger was also interested in practical piety. He actively promoted the reform movement within the Order, which advocated a return to a simpler way of life among the residents of Dominican convents, and he was assigned the task of imposing reform in a number of these, even in the face of opposition from the residents. Sprenger would have been most famous in his lifetime for playing a prominent role in the spread of the practice of reciting the Rosary. Though he was appointed as an inquisitor in the Rhineland in 1481, there is no evidence for any active participation in this activity on his part (he is attested as being consulted in a few cases). Sprenger also showed little inclination for writing. Apart from an unpublished theological commentary written in connection with his early academic studies, his only composition was a short work about the society he founded to promote the Rosary. He died in 1495.

Henricus Institoris (the Latinized form of the German name Heinrich Kramer) was born around 1430 in the Alsatian town of Schlettstadt (modern Séléstat). He joined the local Dominican convent, but went on to be attached to a number of other convents in the southern German-speaking lands. Like Sprenger, he became a professor of theology, but unlike Sprenger he did not pursue an academic career. Instead, Institoris was more interested in missions among the laity, and he tended to work on his own. He was deeply involved in the sale of indulgences, and in particular he undertook a number of tasks connected with the defense of papal privileges and the enforcement of orthodoxy. He spent his last years combatting the Hussite heresy in Bohemia, where he died in 1505.

Institoris clearly had a strong personality, and was something of an individualist. He got into a certain amount of strife with his fellow friars, and at one time went so far as to rebuke the Holy Roman Emperor Frederick III in a sermon, for which he himself was censured by the Order. But none of this undermined the clear trust that was placed in Institoris by his superiors, who continued to employ him on important tasks. Institoris was a respected figure, who preached before the king of

Bohemia, was entertained by the wealthy Fuggers family in Augsburg, and was consulted by the city council of Nuremberg on the correct method of prosecuting sorceresses. Institoris was apparently a man who enjoyed writing. In addition to the *Malleus*, the *Memorandum* written for the bishop of Brixen, and the *Nuremberg Handbook* (for the latter two works, see below), he composed works in defense of papal supremacy and against the Hussites.

Institoris enjoyed the support of Popes Sixtus IV and Innocent VIII, and was appointed by them as inquisitor into heretical depravity in a number of German dioceses. Unlike Sprenger, Institoris enjoyed the task of acting as an itinerant inquisitor. In the *Malleus*, he claims to have had 48 women condemned for the crime, and in the later *Nuremberg Handbook* the number rises to 200. Oddly, there is little evidence for this activity, even in the *Malleus*. There are several references in the text to the trial and execution of Agnes the bath keeper and Anna of Mindelheim for sorcery as the result of an inquisition conducted in Ravensburg in 1484. As it happens, a report on this inquisition written by the burgermasters and city council of the town is preserved, and this indicates that the inquisition was conducted by a "Brother Heinrich," and confirms the general outline of events as laid out in the *Malleus.* Another inquisition that is reported in some detail in the *Malleus* took place in Innsbruck in late 1485 and early 1486. Institoris investigated sorcery among the population of Innsbruck and neighboring towns, and eventually laid charges against eight women. There were objections to his handling of the case from the start, and eventually Bishop George of Brixen, in whose diocese Innsbruck lay, took over the proceedings. At first, Bishop George took the line that, even though he took some exception to his methods, Institoris's credentials as inquisitor meant that there was no choice but to assist him. In late October, however, the bishop had to intervene directly in the case, which was basically allowed to lapse. Even though the bishop made it clear to Institoris that there were objections to his involvement, he did so diplomatically, and Institoris turned over to the bishop the protocol of his investigations and a memorandum (the *Memorandum* cited above) on the legal method of prosecuting sorceresses, apparently under the assumption that the bishop would go on with prosecuting the cases. In February, the bishop had to write a letter demanding that Institoris leave the diocese. Nonetheless, he wrote in such a way as to avoid direct criticism of the friar, who, to judge from the positive terms in which the bishop is mentioned in

the *Malleus* (95A, 136D[2]), bore the bishop no ill-will as a result of his dealings with him.

The argument is frequently made that the description of the work as a joint composition is a falsehood perpetrated by Institoris, who in fact wrote the whole thing himself. For this claim, there is little solid evidence. The argument was first made by the nineteenth-century German historian Joseph Hansen, who took a dim view of the late medieval and early modern *Hexenwahn* ("witch craze") and of those who carried it out. He based his case on certain procedural irregularities in the drawing up of the Approbation, the fact that the Approbation was initially published separately from the main text of the *Malleus*, and an unsubstantiated statement in a later source that two of the signatories of the Approbation asserted that they had not in fact signed it. The procedural irregularities signify nothing (after all, if the text were a forgery, why would it include proof of its own falsehood?) and the separate publication is easily explained (see below). As for the evidence of a later disavowal on the part of some signatories, this is indeed interesting, but since we know of this only from a short and much later remark and the records of the university have mostly been lost, there is not much that can be made of this (even if true, the two men may have had their own reasons for dissociating themselves from the proceedings that had nothing to do with a forgery on the part of Institoris). Later scholars have attempted to add small pieces to the argument, but it is fundamentally nugatory. Only an imbecile would have fabricated a claim to joint authorship in a sworn document that would be included with the forgery and which it would be impossible to keep from coming to the notice of the man who was being falsely associated with the work. In any event, what good would it do Institoris? He was clearly a man of no little prominence in his own right as both inquisitor and theologian, and he did not need to steal the name of a scholar from Cologne who was most noted for his propagation of the Rosary to validate his work about sorcery.

Is it then possible to divide up the composition among the two authors? Comparison with the *Memorandum* shows very close parallels with Pt. 3, which clearly must be attributed to Institoris. The numerous references in Pt. 2 to the prosecutions in Ravensburg and Innsbruck also suggest that it too is the work of Institoris. In addition, that part deals mainly with the practices of sorcery and the cures for these, and such topics are far more likely to be ascribable to the inquisitor

[2] For the method of citing the text used here, see below in section a of the "Notes on the translation."

Institoris than the academic Sprenger. That leaves Pt. 1, which is mainly taken up with the demonstration of the existence of sorceresses and of a particular theological interpretation of sorcery, a demonstration that is presented in the special form of argumentation (the "disputed question," which is discussed below) characteristic of contemporary academic practice (scholasticism). While Institoris's academic background must have made him familiar with the discourse of scholasticism, surely this mode of argumentation would have been most familiar to the academic Sprenger (one might also note that the question at the start of Institoris's Pt. 3 is drawn up in a clumsy manner). As already noted, Sprenger was not particularly given to writing, so it is conceivable he either restricted himself to Pt. 1, or perhaps simply vetted the arguments. This is mere speculation, but whatever the exact nature of Sprenger's participation, the arguments adduced in support of Institoris's supposed concoction of such participation out of whole cloth are not at all cogent.

## PURPOSE OF THE WORK

There was no single audience for whom the *Malleus* was intended, and the three parts served different purposes. Numerous references in Pt. 1 indicate that it was meant to provide material for the correct method of preaching on the topic of the reality of sorcery. The reason for this was the perceived need to counteract the preaching of priests who denied this reality. Though it may have been thought that any priest could benefit from reading the work, presumably the main audience foreseen for the scholastic argumentation of the *Malleus* were other members of the Dominican Order, who were specifically obligated to study theology – unlike the rather poorly educated secular (i.e., parish) clergy of the time – and whose very purpose was to spread this learning through sermons. The case is not so clear with Pt. 2, which deals with the procedures of the sorceresses and the ways to counteract these. At one point, it is stated that a certain explanation has been provided for the purposes of preaching (106D), but at another it is indicated that some of the matter should not be preached (142C). Finally, Pt. 3 seems to have a distinct and separate purpose of its own. It lays out the method of prosecuting heretical sorceresses, and an introductory passage (193D) indicates that it is addressed to both ecclesiastical and secular judges for their practical use.

Thus, the general purpose of the work is to demonstrate the view about sorcery held by Institoris (and presumably also Sprenger), against

the opposition of unspecified critics both secular and ecclesiastical. The work attempts to prove the reality of sorcery, delineates the practices of sorceresses, and lays out the way to directly counteract those practices and to deal with the problem as a whole by exterminating the practitioners of sorcery through their conviction in court and execution. This overall conception is reflected in the title of the work.

The phrase *malleus haereticorum* ("hammer of heretics") was a term of approbation dating back to antiquity to designate those zealots of orthodoxy who were noteworthy for their efforts to "smash" heretics (adherents of Christian doctrines rejected by the Church). The term was transferred to a literary work with the *Malleus Judeorum* ("Hammer of Jews") of the inquisitor John of Frankfurt, which appeared around 1420. This set the precedent for the title of our *Malleus*, with the heretical sorceresses (*maleficae*) replacing the traditional heretics as the object of its attack. The *Malleus Maleficarum* is thus a hammer to be used to smash the conspiracy of sorceresses that was thought to be threatening the very existence of Christendom (this belief is treated below).

## COMPOSITION AND PUBLICATION OF THE WORK

By a happy coincidence, it was discovered in the 1950s that some internal business records of Peter Drach, the man whose press in the western German town of Speyer issued the first edition of the *Malleus*, had been reused as part of the backing of a book, and some of these records relate to the *Malleus.* The book was already being dispatched for sale in February 1487, and another record refers to an unnamed treatise on sorcery being dispatched in an unspecified December; since the later records refer to the work by name, it would seem that the December in question was in 1486. The *Malleus* itself refers to events from 1485 pertaining to Institoris's abortive inquisition in Innsbruck. Since the task of typesetting and actually printing the work would have taken some time, it would seem that the clean copy must have been submitted by the fall of 1486. The actual composition of the work may date to an earlier period, with the anecdotes about Innsbruck being added in a final revision (it's hard to imagine such a long work being put together in just a few months in 1486).

The first edition of the *Malleus* is peculiar in that two short sections from the front of what was meant to be a single work were actually published separately and were added to the main text only with the second edition. Before discussing the reason for this seemingly odd procedure,

it would be useful to discuss the content of the various sections of the work in the order in which they appear here.

### *Justification*

The first section of the main body of the first edition is the Author's (Self-)Justification (*apologia*). This section is the equivalent of a modern introduction and/or preface. Here, it is stated in the first person plural that Jacobus Sprenger and an unnamed co-author had produced the work because of their realization that sorcery forms a particular element in Satan's final assault on God during the End Times. The fact that the word "author" appears in the singular has been cited as evidence that Institoris was the real author and made up Sprenger's participation, but not much should be made of this. In the first place, it may simply be a clumsy conversion into Latin of a German form (note the confusion in English as to whether it's Veterans' Day or Veteran's Day). In any event, Institoris would have been a pretty clumsy forger if he himself left such blatant evidence of his own fraud.

### *Bull*

A papal bull is a form of official letter issued by the pope and authenticated with a special seal (*bulla*). The bull reproduced here (known as *summis desiderantes* after its opening words in Latin) was issued by Pope Innocent VIII in 1484 to help Institoris and Sprenger overcome opposition that they had met in connection with exercising the office of inquisitor. This bull follows the standard format. After the sterotyped salutation, the document lays out the situation that led to its issuance, and then specifies the actions that the pope authorizes or mandates. In this instance, the general harm that sorceresses are inflicting in Germany is first described at some length, and the connection of these activities with Satan is emphasized. It is then noted that Institoris's and Sprenger's efforts to stamp these activities out had met with opposition in the form of technical objections relating to the specific offenses that were covered by their appointment as inquisitors, which the pope then overrides by reiterating and amplifying the terms of the inquisitors' appointment.

Why was this document included? Clearly, Institoris believed it to be a papal validation of the view of sorcery that he advocated. Not only is the bull cited several times in the *Malleus* in these terms, but he still

referred to it for the same purpose in the *Nuremberg Handbook* of 1491. For the same reason, modern critics who wish to ascribe the views in the *Malleus* to the Catholic Church (and censure the Church for approving these views) not surprisingly cite this bull. Given the procedures for the production of papal bulls, the body of the text giving the background to the order at the end was taken more or less verbatim from the petition in which the bull was requested.[3] This means that both the conception and phraseology go back to Institoris. The pope presumably knew nothing independently about the matter, though obviously he raised no objections since he granted the request (and borrowed its language).

## *Approbation*

The "Approbation" is an official certification of the orthodoxy of the *Malleus* plus a validation of four specific points relating to sorcery that represent the general thrust of the work's argument. This approbation takes the form of a public document drawn up on May 19, 1487, at the request under oath of Institoris, on behalf of himself and Sprenger as the authors of the *Malleus*. The proceedings are then carried out under the careful guidance of Lambertus de Monte, the head of the theological faculty of the University of Cologne, who first states his own approval of the questions to be approved, and is then followed with greater or lesser enthusiasm by other members of the faculty who were present. The proceedings were based on the faculty members' prior reading of the work.

Joseph Hansen made much of the fact that the notary public who drew up the document states that he had to leave at one point, and combined this with the now lost notice that two of the other theology professors later objected that they had not in fact been present. As already noted, we have no idea what these objections actually consisted of, and it hardly makes sense to use the evidence of the document itself to prove that the proceedings were invalid (why would someone who concocted such proceedings put in irregularities to undermine their credibility?). It is sometimes misunderstood that Hansen claimed that the document was a forgery, but what he actually claimed was that the proceedings were flawed. As it is, Hansen could give no explanation of why Institoris should have engaged in such an effort to produce a false document to

[3] Interestingly enough, the text of the petition was recently found in the papal archives (this appears as an appendix to the bilingual edition).

claim Sprenger as a co-author, much less why the head of the theological faculty and the notary should have co-operated in such a pointless and dangerous fraud.

As for the actual purpose of the exercise, while Institoris could only produce implicit papal confirmation of the views propounded in the *Malleus* via the background information in the bull of 1484, here he acquired direct validation of the work itself in the form of the approval of one of the most prestigious theological faculties in Germany – one, moreover, that had a reputation as a staunch upholder of standard orthodoxy.

After an elaborate table of contents, the main body follows. This consists of three parts known as books. The work has a large number of cross-references, which for the most part hold true. There are, however, a few that indicate that there was some reordering of the material before the work reached its final form, and the table of contents shows a few deviations from the actual content. On the whole, such inconsistencies are few, and given the elaborate structure of the work and the conditions under which it was produced, it is commendable that the signposting of the work is so accurate.

### *Part 1*

Part 1 is meant to demonstrate, against skepticism on the part of both laity and certain clergymen, the reality of sorcery. After a general proof of the reality of sorcery, the book is organized in three sections corresponding to the elements considered to be necessary in the commission of sorcery: the sorceress herself, the demon, and the permission of God. The argument in this book is mostly theoretical discussion based on Thomas Aquinas, and it consists almost exclusively of disputed questions characteristic of scholastic argumentation (see below).

### *Part 2*

Part 2 treats the actual practices of sorceresses and is itself divided into two parts, the first dealing with the actions of the sorceresses themselves and the second with legitimate methods of counteracting them. There is some evidence that the original intention was that the second part of this book was to be combined with Pt. 3 as a general treatment of how to counteract sorcery by undoing the act in practical terms and by exterminating the sorceresses themselves judicially. There are still

a number of disputed questions in this book, but it gives the most anecdotal information about supposed contemporary reality.

### *Part 3*

Part 3 is a discussion of the judicial method of investigating and convicting sorceresses, and is almost wholly based on the *Directorium inquisitorum* (Guide Book for Inquisitors) of Nicholas Eymeric. Eymeric dealt with the investigation of heretics in general by inquisitors, but Pt. 3 is meant to be a guide to secular judges. Given the heavily ecclesiastical nature of the procedures in Eymeric (particularly the long list of the final sentences set out at the end of the book), one has to wonder how useful any secular judge would have found this section. This book provides perhaps the least information about actual contemporary procedure because of its being such a close adaptation of the source material. In the *Nuremberg Handbook*, where Institoris speaks more directly in his own voice and is in a better position to shape the material to express his own views, he talks at much greater length about the way in which the investigator (*inquisitor*) is able, in fact obligated, to use his faculties of logical reasoning to divine the truth of an accusation of sorcery via conjecture on the basis of the supposed facts of the case. This conception of the investigator's role is certainly present in the *Malleus*, but it tends to get obscured amidst all the tiresome technical minutiae deriving from Eymeric.

### *Separate publication of the bull and approbation*

Now we can return to the peculiarity of the bull and approbation being published separately in the first edition.[4] This separate publication ends with the words "here follows the table of contents," which shows that the two sections contained in it were to intervene between the Author's Justification and the table of contents, the first two sections of the main body of the text in the first edition. Let us start by noting that, according to Drach's business records, the main body was clearly in existence by the winter of 1487 (and probably earlier), while the approbation was drawn up in mid May of that year. Now, the purpose of the approbation was not to secure an attestation of orthodoxy before publication (why should an inquisitor consider the orthodoxy of his own book dubious?),

[4] Indeed, these sections were published in a small book by an entirely different (and inferior) press. Presumably, Drach (the publisher of the main text) was simply busy with other work when it came time to put out this small addition to the main work.

but to bolster the validity of its views. The approbation makes it clear that the whole text was available for consultation by the members of the theological faculty, so presumably the good theologians had been given a copy of the printed book (this would have been cheaper and easier than providing a manuscript version before publication). But even if the approbation was secured after the initial publication, why was the bull, which had been issued back in 1484, not published with the main text? Perhaps the explanation is simply a desire to make sure that it would be read before the approbation, which might otherwise seem more significant by virtue of its separate publication.

Hansen incorporated the separate publication of the approbation into his argument for a defective procedure in drawing it up,[5] but now it can be seen that this odd procedure was dictated by the exigencies of giving the text to the theological faculty in the most convenient manner. Certainly, the second and third editions, both issued by Drach, give the unobjectionable order (a) author's justification, (b) bull, (c) approbation, (d) table of contents, (e) main text, and this order is adopted in the present translation as most representative of the authorial intention.

## OUTLINE OF THE WORK

The *Malleus* has a very elaborate organization with each book being carefully divided into a number of "questions" (Pt. 2 is actually divided into two major subsections called "questions," which are in turn divided into "chapters" corresponding to the questions of the other two books). Though formally correct, this method of organization somewhat obscures the logical progression of the arguments made in the work as indicated by numerous introductory passages and cross-references. The following outline gives a better sense of the overall organization of the material.

I) Proof of the existence of sorcery (1.1)
II) The elements involved in the performance of sorcery
  A) Demon
    1) Demons necessarily co-operate with sorceress (1.2)
    2) Demons beget humans to increase number of sorceresses (1.3)

[5] Supposedly, the separate publication of the false approbation formed part of a plan to keep it out of Cologne, but this is an absurd theory. There is no way that the subsequent circulation of the small book could have been controlled (quite apart from the fact that the theory rests on inaccurate information about the locations in which the two sections were published). Also, given this theory, what sense did it make to incorporate the approbation into the second edition?

3) Only low-ranking demons have sex with humans (1.4)
4) Sorcery cannot be ascribed to astrological influences or to human evil or to the utterance of magic formulas, to the exclusion of demonic assistance (1.5)

B) Sorceress
1) Why women engage in sorcery more than men do (1.6)
2) What sorts of sorcery women engage in
a) Women turn humans' minds to love or hatred (1.7)
b) They impede procreation (1.8)
c) They seemingly remove penises (1.9)
d) They seemingly turn people into beasts (1.10)
e) Midwives kill fetuses and newborns (1.11)

C) God's permission
1) Proof that God permits sorcery (1.12)
2) Incidental discussion of why God allows sin (1.13)
3) The sins of sorceresses are worse than those of Satan or Adam and than those of regular heretics (1.14)
4) Why God allows the innocent to be harmed by sorcery (1.15)
5) Sorcery is worse than other sorts of magic (1.16)
6) Sorcery is a worse sin than the fall of the demons (1.17)
7) Refutation of seven laymen's arguments against God allowing the existence of sorcery (1.18)

III) The practice of inflicting and curing forms of sorcery

A) Certain people are exempted from being harmed by sorcery (unnumbered)

B) Methods of inflicting sorcery
1) Recruitment and initiation of sorceresses
a) Methods of enticement of the innocent through sorceresses (2.1.1)
b) Avowal and homage to Satan (2.1.2)
c) How they move from place to place (2.1.3)
d) How they have sex with demons (2.1.4)
2) Methods of infliction
a) The use of sacraments in sorcery (2.1.5)
b) Impeding procreation (2.1.6)
c) Removal of penises (2.1.7)
d) Turning people into beasts (2.1.8)
e) How demons can exist inside people (2.1.9)
f) How demons can possess people (2.1.10)
g) General method of inflicting illness (2.1.11)

h) Specific methods of inflicting illness (2.1.12)
i) How midwives kill babies or offer them to Satan (2.1.13)
j) How sorceresses cause bad weather (2.1.14)
k) Harm to domestic animals (2.1.15)
l–n) Male sorcerers (archers, enchanters, users of grimoires) (2.1.16)

C) Methods of curing sorcery
1) Demonstration that curing sorcery is permissible (unnumbered)
2) Cures for incubus/succubus demons (2.2.1)
3) Cures for impeded procreation (2.2.2)
4) Cures for irregular love/hatred (2.2.3)
5) Cures for removed penises and for people turned into beasts (2.2.4)
6) Cures for demonic possession (2.2.5)
7) Cures for illnesses inflicted through sorcery (2.2.6)
8) Cures for bad weather caused by sorcery (2.2.7)
9) Cures for those who seek temporal gain (2.2.8)

IV) Judicial extermination of sorceresses
A) That sorceresses and their accomplices are subject to both ecclesiastical and civil jurisdiction, and that inquisitors do not have to involve themselves in such cases (unnumbered)
B) Initiating proceedings
1) How to begin proceedings (3.1)
2) Number of witnesses (3.2)
3) How to examine the witnesses (3.3)
4) Who is allowed to give testimony (3.4)
5) Exclusion of mortal enemies (3.5)
C) Investigation
1) Continuation of proceedings (3.6)
a) Non-legalistic nature of the proceedings
b) List of questions (Step 1)
i) General
ii) Specific
2) Number of witnesses (3.7/Step 2)
3) When the suspect is to be considered guilty (3.7/Step 3)
4) Detention and arrest of suspects (3.8)
5) How to conceal names of the witnesses from the accused (3.9/Step 4)
6) Assigning a suitable advocate to the accused (3.10/Step 5)

7) The advocate is not allowed to cite any defense apart from enmity on the part of the witnesses (3.11/Step 6)
8) Investigating such charges of enmity (3.12/Step 7)
[Omitted issue of demand by the accused that the judge recuse himself (would have been 3.13/Step 8)]
9) Considerations of the feasibility of extracting a confession through torture (3.14/Step 9)
10) Sentencing the accused to questioning under torture and initiating it (3.15/Step 10)
11) Precautions against the sorcery of silence (3.15/Step 11)
12) Ruses to facilitate confession (3.16/Step 12)

V) Twenty methods of passing sentence
1) (1) Rejection of judgment by ordeal (3.17)
2) (2) Generalities about how to pass sentence (3.18)
3) (3) The kinds of suspicion that result in passing of sentence (3.19)
4) Methods of passing sentence if the accused is found:
a) (4) to be innocent (3.20/Method 1)
b) (5) to have a bad reputation (3.21/Method 2)
c) (6) to be subject to questioning under torture (3.22/Method 3)
d) (7) to be lightly suspected of heresy (3.23/Method 4)
e) (8) to be vehemently suspected of heresy (3.24/Method 5)
f) (9) to be violently suspected of heresy (3.25/Method 6)
g) (10) to have a reputation for heresy and to be generally suspected of it (3.26/Method 7)
h) (11) to have confessed to heresy and to be penitent but not relapsed (3.27/Method 8)
i) (12) to have confessed to heresy and to be penitent and relapsed (3.28/Method 9)
j) (13) to have confessed to heresy and to be impenitent but not relapsed (3.29/Method 10)
k) (14) to have confessed to heresy and to be impenitent and relapsed (3.30/Method 11)
l) (15) not to have confessed but to be legally convicted (3.31/Method 12)
m) (16) to have confessed to heresy but to be a fugitive (3.32/Method 13)
n) (17) to have been denounced by a convicted sorceress and not to have confessed (3.33/Method 14)

o) (18-20) not to have inflicted but to have broken sorcery unlawfully; to have inflicted death through affecting weapons with sorcery; to have offered babies to Satan as a midwife; also how to deal with those who obstruct the inquisition (3.34/Method 15)

5) How to deal with legal appeals (3.36)

## SOURCES

The *Malleus* contains citations by name of seventy-eight authors (sometimes cited for multiple works) or anonymous works. This gives a sense that the work rests on a wide-ranging reading of orthodox authorities. After all, the Justification claims that the content of the work is largely borrowed from earlier writers. As it turns out, this plethora of citations gives an entirely misleading sense of the sources used in the composition of the work.

Despite the flurry of names that are cited through the work, there are basically three main authors whose works form the basis of the vast majority of the text. The distribution of these three sources corresponds roughly to the three main divisions of the work. Pt. 1 is a demonstration of the reality of sorcery, and as this is basically a philosophical, metaphysical and theological issue, it is not surprising that the main source here is Thomas Aquinas. Aquinas wrote his monumental corpus of works on theology-cum-philosophy in the thirteenth century, and later he became the most respected representative of one of the two schools of late-medieval scholasticism, namely realism, which was associated with the Dominicans (Aquinas himself was a Dominican). Aquinas was a very widely read man, and the large majority of the many citations in the *Malleus* come from him. These range from philosophers such as the ancient Greek Aristotle and the medieval Jew Maimonides through the gamut of Church Fathers from Jerome and Augustine into figures of the middle ages. These are purely tralaticious citations. That is, they are merely carried over from the earlier text, and this procedure means, of course, that it is unlikely that Sprenger or Institoris ever read a word of any of those authors directly.

In Pt. 2, which discusses the deeds of sorceresses, Aquinas continues as the sources for theoretical issues, but the main source is Johannes Nider. He was a prominent Dominican reformer from the early

fifteenth century, and two works of his are used. The main source is the *Formicarius* or *Ant Hill*, which was a work advocating a moral and spiritual reformation in Christendom. Book Five of this work deals with sorcery, and this is one of the four works (and the only one to appear in print) prior to the *Malleus* that describes the satanic interpretation of sorcery (see below). Nider also treated some of the same topics in his *Praeceptorium*, a textbook on divine law, which is also quoted. While a lot of the material from Nider discusses his own personal knowledge of sorcery, he also has argumentation, which sometimes includes Aquinas. Thus, in such sections, where both the ultimate and the immediate source may not be indicated as such, we can have a passage that gives a philosophical argument that goes back to Aquinas but is copied out of Nider and cites earlier authorities (including Aquinas) in the expected way.

Part 3 is based on yet another Dominican, the Spanish inquisitor Nicholas Eymeric, who lived in the middle of the fourteenth century and wrote a handbook, the *Directorium inquisitorum*, that was meant to show other inquisitors how to track down and deal with heretics. The *Directorium* provides the great majority of the content of Pt. 3 (with appropriate adaptation to show how to deal specifically with the "heresy of sorceresses"). Eymeric is never mentioned by name, and in only one instance does the title of the *Directorium* appear in the text. Eymeric cites large amounts of canon law, and mentions numerous canon lawyers by name. Once more it is very unlikely that Institoris directly saw any of this material himself.

The one other substantial source is another Dominican, Antoninus of Florence, who wrote an encyclopedic handbook on ecclesiastical matters in the early fourteenth century. He is responsible for the large section (Pt. 1, Q. 6) explaining the character flaws of women that is so unappealing to modern tastes.

A list of all the sources cited in the *Malleus* is given below in section b of the "Notes on the translation."

## DISPUTED QUESTIONS

Now that the sources have been discussed, this is a good place to look at a major effect of one source on the mode of argumentation, namely the scholastic methodology of Thomas Aquinas. The "disputed question" (*quaestio disputata*) was a standard mode of discourse in the scholastic

tradition and had its origins in actual debates that took place under the presidency of a senior scholar. After an oral debate on a specific topic, the presiding scholar would formally summarize the debate. This mode of argumentation was a very convenient way to lay out an issue, and hence came to be used without reference to any actual oral debate as a formal way to present an issue in a written work. In the *Malleus*, the purely conventional nature of these disputed questions can be seen in the fact that the so-called question is sometimes phrased not as a question but as a statement. The *Malleus* uses the form of the disputed question that appears in the works of Aquinas. Failure to understand the conventions of the disputed question can make the method of argumentation hard to follow.

The disputed question normally begins with an indirect question, which describes the issue at hand, and this is called the "title" of the question. This title gives the correct answer to the question, which starts by giving the incorrect negative answer that the author will eventually refute and then presents one after the other various arguments in favor of this false initial answer. Each argument is at most a few sentences long and is generally based on or corroborated with a quotation from some authority, though sometimes it appeals to some principle of reason or to an observation from the natural world. The arguments after the first one typically begin with the words "also" or "besides which." After the arguments in favor of the false answer comes contradictory evidence in the form of a quotation or quotations from relevant authorities who indicate that the initial answer to the question was not correct. This section begins with the phrase "but to the contrary." After the various arguments pro and con have been set out in this way, the presiding scholar (or author) gives his "determination" of the issue. Here he gives a discussion of some length explaining his reasoning in rejecting the false answer to the question and then answering the question affirmatively. This section is called the "body" of the question, and is introduced with the word "response" or a statement beginning "the response is given that . . . " After this, the question is concluded with a direct refutation of the individual arguments made in favor of the false conclusion at the beginning of the question, and these refutations are termed the "solutions of the arguments."

In the translation, the various sections of each disputed question are marked out with the symbols used in modern editions of Thomas Aquinas (these symbols are explained below in section d of the "Notes on the translation").

## INTELLECTUAL CONTEXT

### *Satanism*

The great persecutions of sorcery that lasted from the fifteenth until the early seventeenth centuries were based upon a new notion of sorcery that can be termed "satanism" (or "diabolism"). This view saw the supposed "witch" as participating in a malevolent society presided over by Satan himself and dedicated to the infliction of malevolent acts of sorcery (*maleficia*) on others. This new conception is known in modern scholarship as the "elaborated concept of witchcraft," which is characterized by six basic beliefs about the activities of those considered guilty of this form of sorcery:

(1) A pact entered into with the Devil (and concomitant apostasy from Christianity),
(2) Sexual relations with the Devil,
(3) Aerial flight for the purpose of attending:
(4) An assembly presided over by Satan himself (at which initiates entered into the pact, and incest and promiscuous sex were engaged in by the attendees),
(5) The practice of maleficent magic,
(6) The slaughter of babies.

The general area and time in which this concept arose are clear enough, but the process by which this new conception developed from earlier interpretations of sorcery and magic is still obscure. The new conception is first attested in four works written in Latin and German within a decade or so of the 1430s. There is, however, some indication that already in the late fourteenth century certain supposed activities associated with sorcery were being conceived of in terms of the elaborated theory.

The new conception of sorcery as a form of direct worship of Satan that involves the infliction of harm though sorcery can be derived from the revolting lies told about the heretical sect known as the Waldensians by their orthodox foes.[6] The logical development seems to have been

[6] The origins of the Waldensians can be traced to a spiritual movement that was started in the late twelfth century by Peter Waldo, a wealthy merchant in the French city of Lyon. Waldo gave away his possessions and began to preach without ecclesiastical authorization. He was condemned for this, but nonetheless gathered a number of adherents. At first, the dispute between them and the established Church concerned authority rather than doctrine, but the rejection of the movement by the Church as heresy led to a radicalization of its adherents, who for their part refused to recognize the universal pretensions of the established Church. At the same time, the Waldensians were grossly misrepresented by their orthodox opponents as practicing heinous crimes in their rites, and they were bitterly persecuted by Catholic officialdom. The Waldensians

as follows. First, the heretical Waldensians were conceived of as tools of Satan, and thus the traditional calumnies about heretics, including the murder of babies and the practice of maleficent sorcery, were ascribed to the Waldensians. Eventually, the Waldensians became so associated with sorcery that deformed versions of their name could become terms for "witch" in Romance languages. In the next step, the sect that practices witchcraft was no longer associated specifically with the Waldensians. Instead, the notion developed that there was a deviant group of renegade Christians who renounced Christianity in favor of the worship of Satan, who were led by him, and who practiced the most extreme form of maleficent sorcery for its own sake. The texts cited above present the earliest attestation of this new conception.

One might ask whether it is not possible that there were in fact satanic sects that subjectively believed that they were carrying out the will of Satan (whatever the metaphysical truth of the matter). To this the simple answer is no, on the basis of the following considerations.

(1) There is absolutely no independent corroboration of any such activity on the part of anyone. The sole evidence for this activity comes from the theoretical discussions and judicial investigations conducted by men who believed in the existence of a form of maleficent sorcery.

(2) All confessions to such activity are of no evidentiary value as they were extracted through the use or the threat of (often extreme) torture.

(3) The stories told about the practitioners of the elaborated concept of witchcraft were also told about any number of previous heretics in the past, and there is no reason to believe that anyone actually engaged in these activities. Rather, the self-image of the official forms of Christianity necessitated the corollary notion that any deviation from orthodoxy could only be based on adherence to Satan, and thus it was natural to imagine that the most unspeakable crimes were being carried out by perceived heretics.

(4) The demonological works make much of the supposed fact that the confessions of the accused are concordant in the details given about the practices of maleficent sorcery, but it should be emphasized that

were forced to practice their religion in secret, and set up their own ecclesiastical organization. The Catholic persecution was largely successful, though a small group of Waldensians (later associated with Protestantism) survived in the Piedmont region of northern Italy. It was here and in the neighboring area of France (the Dauphiné) that the theory of sorcery first took hold on the model of Catholic beliefs about the Waldensians as members of a secret heretical cult that practiced magic. For the Waldensians in general, see Gabriel Audisio, *The Waldensian Dissent: Persecution and Survival, c. 1170–c. 1570*, trans. C. Davison (Cambridge: Cambridge University Press, 1999), and for the belief in particular that they were heretical practitioners of magic, see pp. 72–78.

there is in fact a great deal of variation in the specifics. While the general outline of the practices of the "sect of sorceresses" was known in various locations, the details were made up according to the notions held by the local investigators. That is, there was no single "elaborated theory," but a number of local variations that reflect the overall notion. Unless there were a number of such sects that operated by different (physically impossible) methods, the logical conclusion is that the self-contradictory nature of the various versions of the elaborated theory derives from the fact that there was in fact no such sect at all, and that the variations reflect the fundamental disconnect between the theory and reality.

### *Elaborated theory of sorcery as described in the* Malleus

The *Malleus* should be allowed to speak for itself in terms of the detailed version of the elaborated concept of witchcraft that is advocated in it, but a short summary of the views of Henricus Institoris on the subject is worthwhile.

First, a matter of terminology. In the German text of the *Nuremberg Handbook*, Institoris uniformly uses the term *Unhold* for a "witch" belonging to the "Heresy of Sorceresses."[7] This term is in turn always rendered in the Latin (of both the *Malleus* and the *Nuremberg Handbook*) as *malefica*. This terminology is significant in that this usage shows an invariable preference over the many synonyms for "witch" in both German (*Zauberin* and *Giftmischerin* in addition to *Hexe*) and Latin (*lamia*, *striga*, *venefica*). As noted repeatedly in the *Malleus* (in the form of the etymology of the word given by Isidore of Seville), the literal meaning of *maleficus* is "evil-doer," and it is the inherent necessity to inflict evil through sorcery that distinguishes adherents of the sect from mere dabblers in magic. The "Heresy of Sorceresses" (*heresis maleficarum*) appears several times in the German in the literal translation *ketzerei der unholden*.

The characteristics of the elaborated concept of witchcraft all appear in the *Malleus*, but the *Nuremberg Handbook* gives a simpler definition: "this depravity of sorceresses consists of two elements: the heresy and apostasy from the Faith and the temporal loss that she inflicts." The reference to heresy signifies adherence to the tenets of the sect as a result of the homage that they pay to Satan, while apostasy signifies the rejection of the Christian faith that the sorceress adopted at baptism.

[7] In the cover letter to the *Handbook*, Institoris gives as a variant the term *Hexe*, which is the usual term that survives in modern German.

The second element consists of the harm that is obligatorily inflicted by the sorceresses as a result of their adherence to the sect. Thus, the other elements of the modern definition of the elaborated concept of witchcraft are simply subsumed into this twofold scheme. The pact with Satan is simply an element of giving allegiance to him, and the other elements (flying to attend meetings with Satan and the specific forms of sorcery) are aspects of belonging to the sect.

Sorcery is viewed as part of a constant war that is being waged between God and his fallen angel Satan.[8] This bipolar struggle of good and evil is so pervasive in the *Malleus* that one could conceive of it as reflecting a form of manichaeism, that is, the view that the cosmos is divided between the opposing and equal forces of good and evil. Yet, such a view is fundamentally incompatible with the Christian view of the absolute omnipotence of God, and the *Malleus* reconciles the apparent incompatibility by emphasizing repeatedly that the practices of sorcery are themselves useless and seem to work only because God allows Satan to carry out the effects that are ostensibly "caused" by those practices. Not only is sorcery to be understood within the context of the titanic struggle between God and his arch-enemy, but the offense that God is said to suffer as a result of such practices is at once a prime motive in Satan's promotion of them and a major argument in the effort to persuade the secular authorities to take all necessary (and drastic) steps to uncover and exterminate the Heresy of Sorceresses. In particular, sorcery was thought to play a special role in Satan's war against God during the End Days.

The Book of Revelation (Apocalypse) was included in the canon of orthodox books of the New Testament because of the erroneous belief that its author was the same as that of the Gospel of John. In any event, the author of Apocalypse was steeped in the tradition of the prophetical books of the Old Testament like Ezekiel, Isaiah and Daniel, and thus Apocalypse follows them in giving a rather fanciful vision (with much bizarre imagery and numerology) of the End Days. First, Satan will triumph (as the Antichrist in later medieval interpretation), but after he is vanquished by Christ, there will be a thousand-year period of direct rule by the latter (the Millennium). Next, Satan will be released from his prison to wage a final, futile battle against God, at the end of which the world will end, Satan being cast into eternal torment and the Last Judgment taking place. The attempt to establish the thousand-year

[8] Satan was thought to have an army of subordinate demons (lesser fallen angels), and the sorceresses are often conceived of as acting in collaboration with one of these demons rather than with Satan himself.

kingdom of God on earth is known as millenarianism, but what we are dealing with here is the somewhat toned down version of the End Days that prevailed in more or less official medieval dogma. For the sake of convenience I call this apocalypticism, and the understanding of sorcery in the *Malleus* is firmly set within the context of this apocalypticism.

This context is referred to from the very start of the work in the Author's Justification, which notes that while Satan has always attempted to undermine the church of Jesus with heresy, he is redoubling his efforts at the present, since he knows that he has little time left, as the world is now declining towards its end and human evil is increasing. The notion that Satan angrily realizes the shortness of his remaining time comes from Apocalypse 12:12, and the reference in the text to the cooling of charity is derived from Matthew 24:2. Thus, the introduction suggests that the plague of sorceresses is part of Satan's efforts in the End Days, and this connection is spelled out in later passages.

The crimes of "present-day" sorceresses is said to surpass all those of the past (71C–D). The dating of this present day seems to be indicated in a passage in which the sexual depravity of sorceresses is discussed. In response to the disbelief of certain contemporaries that present-day sorceresses do engage in the acts alleged against them, it is asserted (108A–B) that, whatever may be the case of those who existed before 1400, experience shows that since that date sorceresses have in fact engaged in sexual misconduct with demons. The reason given for uncertainty in the earlier period is that the literary record does not attest similar behavior (though the existence of demons then is undeniable), but it is noted that, whereas the sorceresses at that time apparently had to be forced to engage in such acts, in the present day they do so willingly. Seemingly, Institoris was aware of a novelty in the sorts of activity that he classified as the Heresy of Sorceresses, and dated the start of this development to the beginning of the fifteenth century. Thus, his own century was the start of the final assault of the Antichrist predicted in the Book of Apocalypse, and the rise of the new heresy and the unspeakable horrors supposedly perpetrated by its adherents was the main weapon in the hands of the Antichrist.

This sense of the approaching apocalypse brought in its wake a novel interpretation of the common idea that sorceresses murder children. A medieval notion held that, at the time of Satan's fall from grace, one tenth of the "good" angels fell with him, becoming demons ("bad angels"), and the world will be "consummated" when the number of the elect who rise to heaven equals that of the angels who remained there (see Caesarius

of Heisterbach, *Dialogue of Miracles* 5.8). The *Malleus* directly notes this conception in terms of the horrific notion that midwives intentionally (and even unwillingly) murder newborns at the insistence of demons. The reason for this is that the Devil knows that unbaptized children are not allowed into the kingdom of heaven and thus the consummation of the world and the day of judgment that will see the Devil cast into eternal perdition will be put off (138C). Thus, the idea that the contemporary world is destined to see the terrible tribulations predicted by the Book of Apocalypse explains not only why sorcery is apparently getting worse but also the specific rationale for some of the most heinous crimes attributed to it.

### *Role of omnipotent God in sorcery*

Finally, let us look at the role of God in the practice of sorcery. The *Malleus* deals repeatedly with the question of how to reconcile the existence of a sect dedicated exclusively to the commission of the most extreme evil with the presupposition of an omnipotent and wholly good God. Not surprisingly, the answer is given in terms of the traditional explanation that God's grant of free will to mankind makes it perfectly just (and necessary) for him to tolerate evil deeds (whose perpetrators will of course then be suitably punished after death). The argument is made several times that Satan has no power except to the extent that this is granted to him by God, and that the magical procedures of the sorceresses themselves had no inherent efficacy and "work" simply because of Satan's execution of the deeds that the sorceresses ostensibly bring about through their rites and procedures. This conception of how the magic involved in sorcery operates is necessitated by the premise that God is omnipotent and that nothing can be done without his permission, but this direct involvement of God in the granting or withholding of permission with reference to specific acts of sorcery means that something more than a broad granting of free will is needed to explain how such evil can exist in a world governed by this omnipotent and good God. It is occasionally asserted that God's purposes are inscrutable, which serves to defer judgment on the question of why he allows evil with the assumption that there must be some greater good at issue which is simply unknown to the human observer (126A, D). Much more frequent, however, is the idea that the existence of sorcery is tolerated by God as a form of retribution on the human race as a whole for previous acts of sorcery. Indeed, Satan himself is aware of this reaction on the part

of God and therefore seeks both to instigate the commission of such acts and to bring about a human failure to punish them (on account of the false notion that sorcery does not actually exist), because he knows that this will enrage God, who will then give continued permission for further, more heinous crimes. In effect, the situation is a downward spiral of human crimes, the penalty for which is the commission of even worse crimes. This situation would seem to have no end but the human race being overwhelmed under this mounting wave of crime, and the conception fits in with the idea that the apocalyptic end of the world is near and that the perceived recent upsurge in sorcery plays a central role in the downfall of humanity.

The modern view of the Christian God tends to emphasize his role as a figure of compassion and love. This is certainly not the main characteristic of the God of the *Malleus*, who is portrayed as a stark and inflexible figure, who exacts the severest penalties for acts that offend him. He demands absolute loyalty from those dedicated to his worship (i.e., baptized Christians) and expects to take precedence over anything and anyone else in their affections. Disloyalty to God is equated with treason against a secular prince, and this act deserves to be punished with the same savage penalty on earth that the Roman emperors decreed against traitors in the *Code of Justinian*. This vengeful God not only visits punishment on the descendants of malefactors removed from the crime by three or four generations, but also feels so affronted by the insult made against him through the commission of the crimes associated with satanism that he allows the innocent to be harmed (Pt. 1, Q. 15 is devoted exclusively to proving the point). Given this conception of the dire results to be expected from the failure to suppress sorcery, it is not surprising that Institoris felt such outrage on account of his perception that there were both laymen and priests who endeavored to undermine the efforts to exterminate the sorceresses through their denial of the reality of the phenomenon.

## ROLE OF WOMEN IN SORCERY

The *Malleus* has been characterized as a thoroughly misogynistic work, and (to borrow a mode of argument from scholasticism) this is true or not depending on what one means by misogyny. In the proper meaning of the term, it signifies a self-conscious literary attack on the female gender as a whole. This genre of literature is exemplified in the Greek poet Semonides' attack on women or the Sixth Satire of the Roman poet

Juvenal. By this standard, the *Malleus* is not misogynistic in that even the main passage discussing what is taken to be the flawed nature of females is prefaced with an overt statement that the negative characterization of women as a group does not apply to all of them (42B), and the work contains references to pious women who resist the allurements of sorcery or fall victim to it.

Nonetheless, even if the *Malleus* is not misogynistic in a narrow sense, the work is clearly permeated with a hostile and negative view of women as a whole. Given the often negative characterization of women in both the Old and the New Testaments, it is not surprising that Christian thought of antiquity and the medieval period adopted a similar attitude. What Sprenger's thoughts along these lines may have been is unknown, but Institoris's statements in other works make it clear that the anti-female premises of the *Malleus* are fully attributable to him. While he no doubt had no qualms about adhering to this point of view, the sections of the *Malleus* that most directly cover the topic are derived from previous authors. The section on why women practice sorcery more frequently than men (Pt. 1, Q. 6) is based on several passages. Exactly the same topic is treated in Nider's *Praeceptorium*, and this material is expanded through the addition of another passage from Nider's *Formicarius* (*Ant Hill*) at the beginning and a heavily reworked section of the *Summa* of Antoninus of Florence that treats the mental and moral inferiority of women.[9] Thus, in Institoris's own mind there could have been no doubt as to the orthodoxy of the very negative view of women that underlies his conception of sorcery.

It might be objected that men do get included in the Heresy of Sorceresses, particularly in the form of men who use incantations to improve their archery (these are discussed in the last few questions of Pt. 1). In fact, it would appear that these men are mentioned more as a logical reflex of the fact that sorcery is conceived of in terms of heresy rather than because such men form any integral part of the Heresy of Sorceresses as understood in the work. At any rate, these archers are not mentioned at all in the later *Nuremberg Handbook*. As for the *Malleus* itself, what Institoris specifically has in mind is the sort of sorcery that he believed to be practiced among uneducated peasant women, which is overtly distinguished (91C) from the educated magic practiced by men (mainly clerics). Another element in the portrayal of sorcery that distinguishes

[9] In fairness to Institoris, it should be pointed out that the ridiculous etymology of the word *femina* (Latin for "woman") from the words *fides* and *minus* ("faith" and "less"), for which the *Malleus* is often derided, is borrowed verbatim from Antoninus.

the *Malleus* from the *Nuremberg Handbook* is the strong association of female sorcery with love affairs that have turned out badly for young women who have used their sexual wiles to entice a man into marriage but were ultimately rejected for a more suitable spouse. This focus in the *Malleus* may reflect Institoris's recent experiences in Innsbruck, where amatory magic seems to have played a major role in the supposed sorcery that he investigated.

## HISTORICAL BACKGROUND

Now we can turn to the historical realities that lie behind the text, and we will start with the legal framework. This will be discussed first in terms of the ecclesiastical institution for dealing with sorcery, and contemporary judicial methods.

### *Inquisition*

Institoris and Sprenger were both inquisitors, and a large number of the anecdotes about prosecuting sorcery involve the activities of inquisitors. The words "inquisition" and "inquisitor" are derived from Latin terms meaning "investigation" (cf. the alternative English derivation "inquest") and "investigator." The institution of the inquisition arose in the early thirteenth century in connection with efforts to stamp out the so-called "Albigensian heresy" (whose adherents are also known as Cathars) in southern France.[10] There was dissatisfaction with the unwillingness or inability of local bishops to stamp out heretical activities in their dioceses, and the practice arose of appointing mendicant friars (especially Dominicans but also Franciscans) to hunt out heretics. At first such appointments were made on an ad hoc basis, but soon the procedure became institutionalized. Appointments could be made either by provincials (regional administrators of the mendicant orders) or directly by the pope, and in either case the inquisitor would act with delegated papal authority. Both Institoris and Sprenger were inquisitors by papal appointment (as made clear in the bull *summis desiderantes*). The inquisitor was empowered to conduct a full investgiation on his own and to seek the assistance of the secular authorities ("secular arm") for this

[10] The regular medieval inquisition is not to be confused with the much more famous Spanish inquisition, which was set up in 1478 by the Spanish crown and operated under the state control, or the Roman inquisition, which was set up by the papacy in the sixteenth century to stamp out any Protestant tendencies in Italy.

purpose. If the suspected heretic was deemed unrepentant or convicted of being a relapsed heretic (that is, someone who returned to the heresy after having previously been found out in it and having abjured or publicly renounced it), the inquisitor could turn over ("relax") the heretic to the secular arm. The inquisitor would hypocritically state in the sentence that he asked the secular arm not to execute the heretic, but it was understood by everyone that the heretic was to be executed (normally by being burned alive) in accordance with secular laws against heresy.

Though the inquisitors had full authority to deal with an accusation as they saw fit, and could keep someone imprisoned for years if they suspected that a person who refused to confess was guilty, they were also entitled to make use of questioning under torture. This practice was a standard procedure in contemporary legal procedure, so it is worthwhile to consider it in some detail.

### *Torture in the "inquisitorial" method of investigation*

The use of torture arose in conjunction with the revival of Roman law that started in the eleventh century in Italy and gradually spread to the north. In the autocratic administrative structure of the later Roman Empire, the governor conducted criminal investigations and trials himself, and was authorized to use torture under certain circumstances as an investigative tool. This system was laid out in the criminal procedure described in the law code of Justinian that formed part of the Roman legal texts that were taught in the Italian universities, and as the elaborate procedures of Roman law began in continental Europe to drive out earlier medieval jurisprudence, which lacked any comparable theoretical texts, the so-called "inquisitorial" procedure took root. (Here "inquisitorial" means simply that the magistrate in charge conducts the investigation and trial himself, and the term applies to the practices of both secular courts conducted along such lines and those of inquisitors.)

The Roman jurists were fully aware that questioning under torture could well lead to false answers (the innocent might admit to something they had not done as a result of the pain, while guilty people with strong constitutions could endure the pain without confessing), and the medieval jurists came up with complicated procedures to overcome these difficulties. Basically, torture was prohibited unless there was a reasonably strong prima facie case against the suspect, and it could be applied only twice. If the suspect survived two sessions without confessing, he or she had to be absolved. In addition, the suspect was supposed to give factual

details that only the criminal could have known. In practice, however, the supposed procedural protections were useless if the magistrate was convinced of the suspect's guilt. The traditional method of examination (known as the "strappado") was to tie the suspect's hands behind his back, then haul him off the ground with a pulley attached to his hands; this had the effect of putting all the weight of the body on the shoulders, which would eventually become disjointed (an effect that could be hastened by either attaching weights to the feet or letting the suspect drop and then precipitously halting the fall before he hit the ground). This simple but brutal method could be effective enough in extracting a confession from anyone, but in the mania to extract confessions during the major periods of witch hunting, the accusation of sorcery was treated as a *crimen exceptum*, that is, a charge exempted from the usual legal precautions, and extreme measures were taken to ensure that the suspects admitted the "truth."

But these pitfalls were not what concerned Institoris. Quite the contrary. He was concerned that the use of torture in criminal investigation would lead to the release of genuine sorceresses. In the first place, it was thought that the sorceresses were able to make themselves immune to pain through the so-called "sorcery of silence" (see Pt. 3, Q. 15), and thus would escape the torture without confessing. The reliance on Eymeric as the main source in Pt. 3 somewhat obscures the point, but the *Nuremberg Handbook* makes it clear that Institoris was very impatient with secular courts that absolved those of whose guilt he was certain because of what he viewed as a mere technicality (the ability to endure two sessions of torture without confessing), particularly as he thought that the very fact of their practicing sorcery allowed them to thwart the procedure. Instead, he advocated the use of conjecture to divine who is guilty, and argued at some length in the *Nuremberg Handbook* that it is better to convict on the basis of conjecture than on the basis of a confession extracted through torture.

The use of conjecture to determine guilt is also rooted in the procedure outlined by Eymeric. With regular heretics, their crime had to do with the beliefs hidden in their mind, which they would try to conceal with evasions and misrepresentations, and the inquisitor had to outsmart them by formulating questions that would trap them into revealing the truth of the heresy that was concealed in their heads. With sorceresses, the act that caused the harm was physically removed from the effect (and, indeed, according to the theory had no direct physical connection with the harm, which was simply inflicted by a demon to make it seem

as if sorcery were actually effective). Thus, Institoris was applying to a new, but in some ways comparable, situation the method of judgment through conjecture that Eymeric advocated.[11]

### *Contemporary magical practices*

Now it is time to turn to the question of the realities of practicing witchcraft that Institoris confronted in his inquisitorial activities. First, we have to be specific about the concept that is understood by the terms "witchcraft" and "magic." For present purposes, we will take it to mean the manipulation of the physical world through the use of special words and procedures. It could easily be argued that the practices of the medieval Church would fall under this definition, but since most contemporaries would have excluded such practices from the category, we will also ignore these here, and consider as "magical" only such practices as would not have been considered legitimate rites of the Church.

In considering pre-modern beliefs about manipulation of the physical world, we have to try and "think away" the category of "science" that comes so naturally to our minds. Today, we think of ourselves as having a clear and substantive understanding of the principles that underlie the behavior of matter around us and of the objects (living and inanimate) that are made of matter. In the medieval period, while there was some understanding of such principles among the educated, even for them much of the operations of the world was mysterious, and this would have been all the more true of the general populace. The belief that the use of mysterious words and procedures could cause real effects in the physical world dates back to well before Classical antiquity, and in the medieval period often involved formulas, items and procedures "borrowed" from Christian rites. At best, such practices were considered superstitious by the ecclesiastical authorities, and to a greater or lesser degree they could be thought to involve demonic invocation (implicit or tacit).

A major distinction of magical practices in the medieval period concerns a division on the basis of the status of the practitioners. There was a sort of "high" magic that involved the educated, which in medieval reality tended to mean renegade priests. This magic was practiced with

[11] The necessity of "flushing out" uncooperative heretics also explains the use of lies and deceit to trick them. This distasteful procedure is clearly present in Eymeric and adopted without qualm by Institoris. Clearly, the need to defend the true faith legitimized any means to unmask the enemies of orthodoxy (who were, after all, the tools of Satan).

grimoires or books of learned enchantments. The *Malleus* indicates overtly (91C) that it does not deal with this sort of magic. Instead, it treats the variety of magic practiced by illiterate, mostly female members of the lower orders of society. To some extent this refers to the peasantry, as is indicated by the many incidents involving farm activities in Pt. 2. On the other hand, the amatory sorcery involving impotence and related phenomena that figures prominently in the *Malleus* is often an aspect of urban life.

Now, we have to distinguish between the objective and subjective interpretation of the situation. Many people today (though by no means all) would reject the reality of producing physical effects in the material world through sorcery. But the question of whether people could actually achieve anything through magic is entirely different from the question of whether they *thought* they could. There can be no doubt that there were people at the time of the *Malleus* who engaged in magical practices. For our purposes, the issue is the extent to which the *Malleus* gives an accurate picture of contemporary practices.

On the basis of modern research on sorcery, we can be sure that the association of magical practices with satanism, that is, a heretical cult under the direct supervision of the Devil himself, is false. The study of actual interrogations shows that the dealings with the Devil that suspects were eventually compelled to admit to are actually foisted onto them by the investigators. That is, there is no external evidence to indicate that, even when people were involved in magical practices, they conceived of themselves as acting in accordance with the conception of sorcery laid out in the *Malleus*. Rather, the sorts of views propagated by tracts like the *Malleus* were imposed on the traditional nonsystematic magical beliefs of popular culture. Basically, the peasants may well have thought that, with the right procedures, one could steal the milk from the neighbor's cow or make someone impotent or give him the evil eye. What did not exist, either objectively or subjectively, was a heretical cult of evildoers who inflicted pointless harm at the instigation of Satan.

Now that we have discussed the reality of magical practices, it is time to turn to the dark interpretation placed on such practices by the theory advocated in the *Malleus*.

## OVERALL ASSESSMENT OF THE *MALLEUS*

The *Malleus* is a work that rouses strong, often emotional reactions, and these may take a multiplicity of forms. Since at least the nineteenth

century, it has been viewed by many as an example of medieval ignorance and superstition, being associated with the later witch hunting of the sixteenth and early seventeenth centuries that seemed to have been instigated by it. For those who view as innocent victims the large numbers of men and (predominantly) women who were burned alive for crimes that are now considered to be completely bereft of substance, the work epitomized everything that was wrong with what was thought to be a medieval mentality. Such an evaluation is at times associated with various extraneous attitudes, both positive and negative, such as a positive assessment of modern neo-paganism and wicca or hostility towards the modern Catholic Church, which is held to be responsible for the witch hunts. Those who are favorably disposed towards the Catholic Church may themselves have rather divergent attitudes.[12] Some choose to dissociate the Church from medieval beliefs that were thought legitimate in the past but are no longer considered respectable, such as anti-semitism, and the witch hunts can fit into this category. But the Church continues to recognize the validity of exorcism, and some Catholics, far from disowning the *Malleus*, view the work as a valid reflection of Satan's interference in human affairs.[13] Given that all these views relate to people's attitudes about religion, and that such attitudes are matters of faith rather than demonstrable truth, it would be a rather perilous and probably vain matter to try and assess the *Malleus* in such terms. The reader is perfectly entitled to evaluate the work in light of his or her religious beliefs, but the following assessment is based on a materialist understanding of the

[12] While the modern Roman Catholic Church is the linear descendant of the official state religion established in the Roman Empire over the course of the fourth century and has inherited the pretensions to it being the sole recognized religion laid out in Imperial legislation, it should be borne in mind that the Church has undergone a great deal of change over the succeeding millennium and a half. The universal Church as it existed in the medieval period has a large amount of overlap with its modern manifestation, but there is also a fair amount of divergence. In particular, it was only with the Council of Trent, which was held in the mid sixteenth century to counter the challenge posed by the spread of Protestant rejection of the Catholic Church, that the latter's doctrine and ceremonial were given a full systemization, which was then enforced by the administrative apparatus of the states that remained Catholic, and such enforcement of a more or less uniform understanding of Catholicism had been impossible during the medieval period. Thus, it is historically difficult to posit an absolute continuity between medieval doctrine and that of the present-day Church. Of course, those who have a monolithic conception of Catholic doctrine over the centuries may feel differently.

[13] In an email, I was taken to task by a devout Catholic for seeming to cast doubt, in the introduction to the bilingual edition, on the view presented in the *Malleus* that the world is "a place where demons inhabit [the area above] the earth . . . and plot to ensnare humans . . . guide them in their evil-doing and have sex with them." I was then invited to a "Catholic Charismatic Prayer Breakfast" at which "personal testimony" would be given in proof of the reality of such demonic intervention in the world.

world in which the supernatural in general and the demonic in particular play no role in the affairs on earth.

The major significance of the *Malleus* lies in the role it played in the dissemination and widespread acceptance of the elaborated theory of witchcraft. Certainly, the basic elements of this theory – sorcery, heresy and Satan's attempt to undermine God's world order – had existed since antiquity, as had the notion that Satan was involved to greater or lesser degree in both sorcery and heresy. What was new was the notion that sorcery by itself represented a special form of heresy that played an important part in Satan's plans for the Final Days. This connection was already in existence in the early fifteenth century, but only one printed work (the *Formicarius* or *Ant Hill* of Johannes Nider) had discussed this notion, and then only tangentially and without drawing out the full implications. The *Malleus* takes this notion and fully argues it in terms of the cosmological interpretation of the world (that is, the understanding of the universe in terms of Christian theology) as propounded by Thomas Aquinas. Thus, this notion, which had previously been inchoate, was given full academic justification as understood by the scholastic methodology that held sway in the universities of late-medieval Europe. The twelve reprintings of the *Malleus* that were undertaken in Germany and France in the years 1486–1519 attest to a regular demand for the work, and while, in the later sixteenth and seventeenth centuries, it was the works of other authors (e.g. Jean Bodin and Martin del Rio) that whipped up the frenzy for witch hunting, those works were effective only because of the shift in paradigm that the *Malleus* had brought about in the late fifteenth and early sixteenth centuries.

The notion of "shifts in paradigm" comes from Thomas Kuhn's book *The Structure of Scientific Revolutions*.[14] In that work, Kuhn argues against the modern conception of science as a gradual process consisting of the cumulative building up of factual knowledge that comes incrementally closer and closer to describing the natural world. Instead, scientists work on the basis of "paradigms," that is, overarching conceptions of the nature of the issue in question. This paradigm is far more than simply a theory regarding a given set of phenomena. It is a fundamental understanding of the nature of the issue and of the very phenomena that are covered by it. In effect, the paradigm gives the general intellectual framework in which the investigation of the natural world is conducted. The paradigm holds sway to such an extent over the intellects of the

[14] Thomas S. Kuhn, *The Structure of Scientific Revolutions*, 3rd edn. (Chicago and London: University of Chicago Press, 1996).

scientific investigators that, when phenomena arise that do not fit in with the dominant paradigm, at first these are often either misconstrued or even not perceived as anomalous at all in that they are interpreted, and indeed conceived of, only in terms of the paradigm. An example of such a paradigm-generated "distortion" comes from the late seventeenth and most of the eighteenth centuries, when astronomers on numerous occasions observed what we now know of as the planet Uranus. On the basis of the paradigm that held that a set of six planets circled the sun, however, either no motion was observed at all, in which case the object was conceived of as a star, or, if the motion was perceived, abortive attempts were made to explain the object as a comet. Only in 1781 was the old paradigm rejected, when it was finally recognized that there were more planets out there.[15] When new phenomena are recognized as calling the dominant paradigm into question, there can be a more or less prolonged crisis in which attempts are made either to salvage the old one or to come up with a new conception, and if the new conception wins out and a general consensus accepting it is formed, then there is a "shift in paradigm," and the new paradigm then serves as the basis for further research.

Though Kuhn's insight on the nature of human conceptualization was put forward specifically in the context of scientific investigation, it seems fruitful to apply the notion to other spheres of activity in which people attempt to make sense of the world around them. After all, the *Malleus* strives to explain sorcery within the context of scholastic understanding of the natural world, and thus is scientific by contemporary standards (at that time, the study of the natural world was at most an element in "natural philosophy"). Indeed, one of the reasons for the great influence of the *Malleus* was the very fact that it does not simply argue for the existence of Satanic sorcery but gives the notion an ontological, phenomenological and teleological basis in the scholastic interpretation of the world. That is, the *Malleus* gives an all-encompassing explanation of what sorcery is, how we can perceive its effects, and what role it plays in the cosmic struggle between omnipotent God and his archenemy Satan. Whereas previously sorcery had been viewed as a distasteful and illicit activity, it had not been viewed as having much significance beyond the commission of the act of sorcery itself; now, the *Malleus*

[15] See the discussion in Kuhn, *Structure*, 115–116. It is worth noting that the previously dominant paradigm of six planets (Mercury, Mars, Earth, Venus, Jupiter, Saturn) revolving around the sun was itself a new (Copernican) paradigm that had replaced the medieval/ancient paradigm that saw the five visible planets plus the sun and the moon revolving around the earth.

seemed to prove in a detailed theoretical fashion that maleficent sorcery was a major element in Satan's assault on the very fabric of God's creation. In effect, the full formulation of the diabolic interpretation of sorcery in terms of Thomastic scholastic demonstration created a new paradigm – one that had very menacing implications for those who accepted it.

Kuhn provocatively suggests that:

> when paradigms change, the world itself changes with them. Led by a new paradigm, scientists adopt new instruments and look in new places. Even more important, during revolutions [i.e., the breakdown of the old paradigm and its replacement by a new one] scientists see new and different things when looking with familiar instruments in places they have looked before. It is rather as if the professional community had been suddenly transported to another planet where familiar objects are seen in a different light and are joined by unfamiliar ones as well.[16]

He quickly grants that no such physical transformation takes place but maintains that "paradigm changes do cause scientists to see the world of their research-engagement differently," and surely this overall characterization is applicable to the conceptual revolution propagated by the *Malleus*. What had previously been simply random instances of misguided activity now took on a far darker significance, and any such activities could readily be taken as proof of adherence to this literally demonic conspiracy. If one truly believes that sorcery does produce effects in the natural world, that sorceresses engage in their malevolent activities as an integral part of Satan's final attempt to overthrow the divine order, that the thwarting of Satan's evil purposes can only be carried out through the physical destruction of his evil minions, and that the defense of Christendom is inextricably intertwined with the necessity of taking any steps required to track down and eradicate the practitioners of these evil arts, then clearly the most drastic measures would be called for. Given that the early modern method of criminal investigation in continental Europe involved the use of torture to extract information from the accused, it is hardly surprising that, if the officials in charge of investigations were already convinced of the existence of these heinous crimes and predisposed to take the guilt of the accused for granted, the accused were often compelled not only to confess to their supposed misdeeds but to implicate others who would in turn be subject to the same treatment. The only problem of course was that

[16] Kuhn, *Structure*, p. 111.

the whole new paradigm was simply a figment of the imagination of fifteenth-century ecclesiastics.

The issue of why the witch craze died down in the seventeenth century is not exactly germane to a discussion of the *Malleus* in its own right, but since the *Malleus* is in large part responsible for the new paradigm of sorceresses, a few words may be warranted. One should begin by noting that the view advocated in the *Malleus* never attained universal acceptance, and there were always voices speaking out against it. Nonetheless, a number of prominent individuals in both intellectual and administrative positions came to adopt the new paradigm wholeheartedly, and so long as the paradigm held some sway, it was likely to lead to excesses. In any event, the *Malleus* itself is deeply rooted in the scholastic understanding of the cosmos, and this understanding came to be increasingly untenable with the various scientific discoveries that suggested a mechanistic universe, particularly the complete undermining of the Ptolemaic conception of the heavens that gradually followed upon the publication of Copernicus's *De revolutionibus orbium caelestium* in 1543. Now, it took many decades for the old system to give way, but the old tidy arrangement of an immutable cosmos circling majestically around the earth eventually yielded to the new heliocentric system, and with that the seemingly central role that demons and angels played in the cosmos was likewise called into serious question. There was clearly far more to the shift in intellectual understanding of the world that resulted in the rejection of the paradigm advocated in the *Malleus*, and it would be beyond present purposes to discuss this topic.

In addition to these external factors, the paradigm also collapsed under the weight of its own inherent implausibility. If the new conception was true, then there were satanic sorceresses lurking everywhere, and the early seventeenth century saw certain small jurisdictions in southern Germany carry out large-scale efforts to uproot sorcery in major campaigns that fed upon the accusations of the innocent made under torture by those already accused. One of the most famous books written against these campaigns was the *Cautio Criminalis* (1631) of Friedrich von Spee, a Jesuit priest who had acted as a confessor to those about to be burned alive for sorcery. The work is a general denunciation of the legal abuses that led to convictions, and while Spee does not deny the existence of sorcery, he notes his disbelief that any of those supposed sorceresses for whom he acted as confessor had actually been guilty.

Thus, what undermined the paradigm outlined in the *Malleus* was the combination of a number of factors, such as the contradiction between

the scientific underpinnings of the work in medieval scholasticism and new understandings of the functioning of the universe, the declining desire to see Satan as an active participant in the world around us, and the inherent lack of substance to the great conspiracy that was presupposed by the paradigm. While it is easy to adopt an attitude of smug self-satisfaction when considering the widespread adherence to views that now seem (for most people) to be incompatible with a rational understanding of the world, it is preferable to understand the work in its own context. At the time, the views advocated in it were firmly based in the most authoritative texts. Demons and Satan figure prominently in the Gospels, and other parts of the Bible had been interpreted in light of this. Demons were taken for granted in the orthodox works of the Church Fathers of antiquity and the middle ages. Perhaps most importantly, the role of demons and sorcery in the world was demonstrated in some detail by Thomas Aquinas, perhaps the most respected intellectual figure in scholasticism (and certainly the most respected in the eyes of Dominicans). And as for being caught up in a frenzy of seemingly irrational behavior on the basis of some delusional belief in a demonic conspiracy, one does not have to go back to the anti-semitic madness of Nazi Germany to find a parallel phenomenon in the modern world. Less than thirty years ago in the United States, an unwarranted belief that satanic cults were abusing children, combined with an anxiety that children were being mistreated in daycare centers, led to egregious miscarriages of justice in highly publicized trials involving completely unbelievable accusations and testimony. In fact, one famous victim of such a trial (Gerald Amirault) was released only in 2004 after spending eighteen years in prison following his conviction for accusations that had not the least merit. So perhaps what can be said for the modern world is that it takes only a few years to dispel the sort of frenzy that went on for a century and a half in early modern Europe.

## Malleus *as evidence for contemporary practices*

To shift the question of the significance of the *Malleus*, it is worthwhile to consider how far the work can be viewed as a valid reflection of contemporary sorceresses. It is a basic concept in modern cultural studies to make a distinction, in dealing with the pre-modern Europe, between the "elite" culture of the educated upper classes and the "popular" culture of the general populace. This distinction is not without difficulties – the elite did not live in a vacuum that isolated them from influences deriving

from the beliefs of the lower orders, while for their part the non-elite members of society could not be entirely immune from the ideas that mainly circulated among the elites – but it nonetheless holds generally true. In particular, most knowledge of popular culture derives in one way or another from sources of information that either were produced by members of the elite or at the least are preserved in media that reflected elite rather than popular culture. What then to make of the *Malleus*? Does it in any way give us access to actual practices of sorcery among the general populace? Obviously, it is a work of the intellectual elite, yet it overtly treats a topic that relates to the lower orders. For the most part, the understanding of sorcery presented in the work rests on the theoretical discussions of Thomas Aquinas, and hence sheds little light on contemporary beliefs. Even the arguments against sorcery that are attributed to contemporary opponents of the view advocated in the work actually derive from the negative position that in various disputed questions are attributed by Aquinas to the advocates of the false view before he rebuts it, so that the *Malleus* is to a large extent simply an intellectual exercise based on earlier literary precedents rather than a reflection of the world around it.

On the other hand, the work cites a number of anecdotes from the personal experience of (almost certainly) Institoris. To the extent that these derive from judicial proceedings, there is no reason to doubt their accuracy in that regard. That is, the statements about Institoris's activities in Ravensburg and Innsbruck seem to be reasonable enough accounts of the proceedings (taking into account that he was dealing from memory with events that took place several years before). But that says absolutely nothing about the accuracy of the description of the activities that were investigated and for which people like Anna of Mindelheim and Agnes the bath keeper were burned to ashes. For instance, was the old woman who was convicted of causing a hail storm out of spite because she had not been invited to a wedding party (104B–C) actually guilty of doing so? In a metaphysical sense, of course not. On the other hand, it is not beyond the realm of possibility that she did in fact use magical procedures to do so. But it is very unlikely that the activity even subjectively involved the invocations of a demon in a self-aware act of satanism (much less the actual participation of a demon, though again it cannot be ruled out that the woman imagined such a thing). It is far more likely that she was either falsely accused in the first place (the evidence that led to her arrest is hardly compelling, and the confession is based on the application of judicial torture). The satanic interpretation of her alleged

behavior is almost certainly a construct imposed on the situation because of the author's adherence to the paradigm of satanic sorcery. That is, even when there was subjective use of sorcery by peasants, this would have been simply old-fashioned magical practice that had nothing to do with a diabolic conspiracy. Such a process of reinterpretation on the basis of the paradigm can be seen in the discussion of the seemingly innocuous peasant cures for sorcery discussed towards the end of Pt. 2. These cures are simply part of the to-and-fro of peasant magic for the purpose of some sort of personal gain or vengeance and subjectively do not have anything to do with the evil designs of Satan, but given the hold of the paradigm on Institoris's imagination, it was very difficult for him to conceive of "innocent" magic outside of this conception. Thus, the *Malleus* can safely be used as a guide to the understanding of sorcery held in the mid to late fifteenth century by certain members of the elite. It is very difficult to consider the anecdotal material in the work as shedding unfiltered light on popular beliefs and practices.

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## NOTES ON THE TRANSLATION

### *(a) Method of making references to the text*

For ease of citation, I have assigned notations to the text that appear in the margin. These notations are based on the modern method of pagination used in Schnyder's facsimile of the first edition, which gives each page its own arabic number.[17] Schnyder then inserts capital letters to designate the halves of the two columns that appear on each page, so that A and B represent the start of the top and bottom halves of the first column and C and D the corresponding halves of the second. The use of these designations not only facilitates consultation of the Latin text (both the bilingual edition from which this translation is derived and the facsimile of the first edition) but also gives a much more specific reference than simply quoting the book and question from which a quotation derives.[18]

### *(b) Sources not from canon law*

The *Malleus* is filled with a vast number of citations of earlier works, but most of these citations are borrowed from the main sources for the work. If necessary, the full citation of the work (or further citation if

[17] Schnyder uses an arabic number followed by an asterisk for the few pages of the separate publication containing the Bull and Approbation.

[18] Jerouschek's facsimile employs the bibliographically accurate but cumbersome procedure of numbering the folios (separate pieces of paper comprising two modern "pages" each) and indicating the front and back sides with the superscript letters $^{r}$ and $^{v}$, for "recto" and "verso" (i.e., "front" and "back" page). The two columns on each page are simply designated as a and b. It is simple enough to convert Schnyder's numbers to Jerouschek's. If the number is even, one simply divides by two and appends the letter $^{v}$ (thus, 102 becomes 51$^{v}$). If the number is odd, one adds one and then divides by two, appending the letter $^{r}$ (thus, 101 becomes 51$^{r}$). Thus, Schnyder's 102C and 102D comprise the top and bottom halves of Jerouschek's 51$^{v}$b.

the citation in the *Malleus* is inadequate or incomplete) is provided in square brackets (these always indicate an editorial addition that does not appear in the original). If the *Malleus* provides only the book number, this is repeated along with the chapter division in the modern method of citation (i.e., "*Physics*, Book 4 [4.2]" indicates that the reference is to book 4, chapter 2). Note that the Bible is quoted only by chapter number in the *Malleus*, so verse numbers always appear in square brackets. At the end of each question (chapter in Pt. 2), the main primary sources for that section are given in square brackets.

To avoid repetitious footnotes, below is given a list (arranged alphabetically by author's first name) of the works cited in the *Malleus*, which also provides a brief description of the authors and their works. "Legists" are scholars who study Roman civil law, and "canonists" are scholars of canon law.

Albert (Albertus Magnus or "The Great," ca. 1200–1285) German Dominican and prominent scholastic. He undertook the monumental task of commenting upon all the works of Aristotle and played a crucial role in winning for the Greek philosopher a prominent place in scholastic philosophy.

Alexander of Hales (ca. 1185–1245) English friar who was both a prelate and theologian. He became a favorite scholastic for Franciscans, and his *Summa theologica* was the text for which he was best known.

Algazel (Abu Hamid Muhammed al-Ghazali, 1058–1111) A Moslem theologian. The references to him in the *Malleus* come from Aquinas.

Ambrose, St. (ca. 340–397) Bishop of Milan, he was a strict defender of orthodoxy.

Anselm (†1109) An Italian monk who was eventually made archbishop of Canterbury. Though his writings were influential, he wrote at the very beginning of the scholastic movement and his works were largely superseded by those of more mature scholastics.

Antoninus (1389–1459) Dominican archbishop of Florence, he wrote the *Summa theologica moralis* towards the end of his life. A popular work on various aspects of moral and ecclesiastical life, it provided the source of the rather negative view of women adopted in the *Malleus* (see above in section on "Sources").

Archdeacon, the (Guido de Baysio, ca. 1250–1313) Italian canonist. He was best known for the *Rosarium*, a commentary on Gratian's *Decretum*, but his relevance to the *Malleus* comes from his having written an *apparatus* (collection of glosses) on the *Liber sextus*.

Aristotle (384–322 BC) One of the pre-eminent philosophers of ancient Greece, he advocated the rigorous use of logic. Large numbers of his writings on various topics of philosophy and what we would call science (natural philosophy) survived antiquity, and the rediscovery of these works through Latin translation, first of Arabic translations and then of the Greek originals, had a profound influence on scholasticism (because of his seminal role in the development of scholastic thought he was known simply as "the Philosopher"). Tralaticious references to the *Eudemian Ethics* and *Nicomachean Ethics* are given simply as the *Ethics* without distinction. The pseudo-Aristotelian *Properties of Elements* is attributed to him.

Augustine (354–430) Far and away the most intellectually significant figure among the Latin-speaking Christian thinkers of late antiquity; very large numbers of his writings survive and these formed the basis of western theology until the time of the scholastics. His *City of God* (*De civitate dei*) provided the framework for the medieval understanding of history.

*Authentic* (*Authenticum*) Medieval term for the *Novels* (*Novellae*), the subsequent Imperial decisions of Justinian that were issued after the promulgation of his *Code*. These decisions were never officially issued as a collection, and two separate private collections survived in the West at the time of the revival of the study of Roman law in the eleventh century. The term *Authenticum* signifies the famous legist Irnerius's erroneous belief that one collection represented the "authentic" or official version.

Avicenna (980–1037) Moslem interpreter of Aristotle, and in Latin translation his work had an influential impact on scholastic thought, especially that of Aquinas (from whom the references in the *Malleus* derive).

Azo (ca. 1150–1230) Famous early legist.

Bede (672/3–735) A learned English monk who composed a large number of works on a variety of topics. His famous *Histories of the Angles* treated the history of the Germanic population of England.

Bernard (de Botone of Parma, †1266) Canonist whose *apparatus* (collection of glosses) entitled the *Commentary on the Decretals of Gregory VII* became the *Ordinary Gloss* on the *Liber extra*.

Bernard, St. (of Clairvaux, 1090–1153) An early leader of the Cistercian movement, he is cited only in passing in the *Malleus*.

*The Birth of the Sciences* A work by Robert Kilwardby (ca. 1215–1279), an English scholastic (and high-ranking Dominican

prelate). This work was a theoretical treatment of the nature of speculative philosophy.

Boethius (480–524/5) Important Christian author. While imprisoned, he composed the *Consolation of Philosophy* (*De consolatione philosophiae*), and even though this work is inspired by purely pagan philosophical thought and bears no trace of Christian influence, it was popular in the middle ages. His translation of and commentary on Porphyry's *Isagoge* was one of the foundations of Christian logic until the scholastic age. The *Malleus* also has a reference to his treatise *Music* (*De institutione musica*).

Bonaventure, St. (1217–1274) An Italian Franciscan, he was a scholastic theologian.

*Book of Examples of the Most Blessed Virgin Mary* (*Liber exemplorum Beatissime Virginis Marie*) Presumably an alternative title for some collection of edifying anecdotes; its identity is unknown.

*Book of the Saintly Fathers* See "Lives of the Fathers."

*Book on Causes* (*Liber de causis*) An Arabic compilation of the Greek *Stoicheiosis theologica* of the Neo-Platonic philosopher Proclus, this work was taken to be Aristotelian. It was commented on by Aquinas (from whom the reference comes).

Caesarius (of Heisterbach, ca. 1170 – ca. 1240) Cistercian monk of the monastery of Heisterbach in Germany. He was a prolific author, and his *Dialogus miraculorum* ("Dialogue on Miracles") was an extremely popular work in late medieval Germany.

Cassian (ca. 360 – ca. 435) Important figure in the spread of the monastic movement in the West during late antiquity. He wrote the *Collationes* ("Conferences"), a collection of conversations that he and a companion had with famous ascetics in Egypt. This work is quoted extensively in the *Malleus* through citations of it in Nider.

*Catholicon* A popular medieval dictionary of Latin.

Cato A collection of one- and two-line moral aphorisms was made at an indeterminate date under the Roman Empire on the basis of sententious statements in the mimes of Publilius Syrus. One version came with a preface purporting to be addressed by Marcus Cato to his son, and the work was very popular in the middle ages under the title *Catonis Distich* ("Cato's couplet"). The putative author was presumably meant to be Cato the Elder (M. Porcius Cato, 234–149 BC), who had a reputation for strict morality and was a prolific author (rather than his great-grandson Cato Uticensis).

Chancellor, the (1166/85 – 1236) Philip the Chancellor was an academic known for his position as chancellor of the cathedral of Notre Dame in Paris. While his definition of the cardinal virtues in *Summa de bono* was influential, he is little studied apart from that work, and the identity of the *Flowers of Moral Rules* (*Flores regularum moralium*) is unclear.

Chrysostom, St. (ca. 347–407) His actual name was John, but he posthumously came to be called Chrysostom ("Golden-mouthed") on the basis of his oratorical skills. He was not a great thinker but his excellence as a preacher resulted in the preservation of a large number of his works, especially homilies and commentaries on various books of the Bible. The *Unfinished Work on Matthew* is the composition of a Late Antique Arian that was spuriously ascribed to Chrysostom.

Cicero (Marcus Tullius Cicero, 106–43 BC) The most famous orator of ancient Rome. In addition to many speeches, a number of philosophical works survive. To him was falsely ascribed the *Rhetoric*, an anonymous treatise on rhetorical practice from the early first century BC that is known today as the *Ad Herennium*.

*Code of Justinian* Official collection of decisions of Roman emperors that was compiled by order of the late Roman Emperor Justinian (527–565).

Dionysius the Areopagite Acts 17:34 states that someone of this name was converted to Christianity by Paul's speech about the "unknown god," and several works written in Greek purport to be by this man. Internal evidence shows that the author who adopted this persona lived around 500 and was probably a Syrian monk.

*Directorium [Inquisitorum]* Handbook on inquisitorial procedure written by Nicholas Eymeric (ca. 1320–1399) that was the main source for Pt. 3 of the *Malleus* (see above in section on "Sources").

*Ecclesiastical Dogmas* (*Liber de ecclesiasticis dogmatibus*) A work falsely ascribed to Augustine; the reference comes from Aquinas.

Geoffrey (Gotfridus or Goffredus de Trano, †1245) An early canonist. His *Summa on the Titles of Decretals* (*Summa super rubricis decretalium*) was a major source for the *Ordinary Gloss*, but knowledge of him in the *Malleus* is tralaticious.

Gregory, St. ("The Great") (ca. 540–604) The first monk elected pope (590), which lent prestige to his writings.

Guido of the Order of Carmelites (Guido Terrena, †1342) French scholastic and prelate, he wrote a number of works on theology.

Haguccio (†1210) Italian canonist who wrote a *Summa super corpore decretorum* ("Summa on the body of decretals"), which is considered one of the most important treatises on canon law but has never been published.

Heraclides The story of this reference is somewhat complicated. There is a work about early Egyptian monasticism known as the *Lausiac History* (because it was dedicated to Lausus, the chamberlain of the late Roman Emperor Theodosius II) that was written by someone named Palladius, who may or may not be the same as a fifth-century bishop of Helenopolis of the same name. This work circulated in the middle ages in a short Latin version known as the *Paradise of Heraclides* (*Paradisus Heraclidis*) and, on the basis of its content, was also called *Vitas Patrum* ("Lives of the Fathers"). In any case, the references in the *Malleus* come from Nider.

Hostiensis (Henry of Susa or Henricus de Segusio, 1190/1200 – 1271) Influential canonist (the name by which he is generally known refers to his position as the cardinal-bishop of Ostia), whose *Copious Summa* (*Summa copiosa*, also known as the *Aurea summa* or "Golden Summa") was a greatly respected legal treatise.

Isidore, St. (ca. 560–636) Isidore, the bishop of Seville in Spain, was a prolific writer and his *Etymologies* (*Etymologiae*) was popular in the later middle ages as an encyclopedia.

*Itinerary of Clement* (*Itinerarium Clementis*) This work (also known as the *Recognitions of Clement*) was written early in the history of Christianity (third century?) and purports to be the personal story of St. Clement, who was supposedly bishop of Rome ca. 100. The work was originally written in Greek but survives only in a Latin translation from late antiquity.

Jerome, St. (ca. 340–420) A dyspeptic Christian ascetic, who was also a prolific author. He is best known for drawing up in its final form the Vulgate Latin text of the Bible. He wrote large numbers of commentaries on various books of the Bible. He also wrote several vitriolic treatises against those whose orthodoxy he disputed, and the *Malleus* quotes from the work *Against Jovinianus*, a heated defense of the superiority of celibacy over married life. Towards the end of Book One, Jerome has an extended passage in which he disparages wives as a group, and this became a favorite anti-female text in the middle ages and served as a source for Walter Map in his spurious *To Rufinus* of Valerius (see below under Valerius).

John Monachi (Johannes Monachus or Monachi, or Jean LeMoine, ca. 1250–1313) Wrote a number of influential works on canon law.

John (Johannes) Nider (ca. 1380–1438) High-ranking Dominican, whose *Formicarium* or *Ant Hill* and *Praeceptorium* are important sources for the *Malleus* (see above in section on "Sources").

John of Andrea (Johannes Andreae or Giovanni d'Andrea, ca. 1270–1348) Important canonist whose *apparatus* (collection of glosses) on the *Liber sextus* and the *Clementines* was soon adopted as the *Ordinary Gloss.* He also wrote the *Book on Jerome* (*Hieronimianus*), a treatise on the cult of St. Jerome.

John of Damascus (St. John Damascene, ca. 675 – ca. 750) The last of the Greek Fathers, he was a vigorous opponent of iconoclasm. His *Exposition of the Orthodox Faith* (*Expositio fidei orthodoxae*), which was the third part of his *Fount of Knowledge* (*Pege gnoseos*), was a collection of pronouncements by earlier Greek patristic authors on a variety of topics. The work is similar in conception to Peter Lombard's *Pronouncements* and is referred to by this title in the *Malleus*.

Lactantius (Lucius Caecilius Firmianus Lactantius, fl. 300–320) Christian apologist whose *Divine Institutes* (*Divinae institutiones*) was the first attempt at systematic theology composed in Latin.

"Lives of the Fathers" (*Vitas Patrum*) This compilation of stories from various sources about the early Egyptian hermits was falsely ascribed to Jerome.

Lucan (Marcus Annaeus Lucanus, 39–65) Ancient Roman poet whose *Civil War* treated the war that broke out in 49 BC between Julius Caesar and the defenders of the Roman Republic.

Master, The See Peter Lombard and *Scholastic History.*

Moses (Maimonides, 1135–1204) Famous Jewish philosopher from Spain. The reference to him is borrowed from Aquinas.

Nicholas of Lyra (1270–1340) French Franciscan well known for his commentary (*Postilla literalis*) on the Bible. He is cited merely because of Paul of Burgos's correction of him.

*Ordinary Gloss* (*glossa ordinaria*) Strictly speaking, a "gloss" is a note explaining a single word, but it came to be used collectively to describe a collection of such glosses on a single work. Thus, the "ordinary gloss" signifies the "standard commentary." The *Ordinary Gloss* on the Bible consisted of excerpts from the recognized exegetes of the past. Later, an *Ordinary Gloss* was established for the canon law (a different commentator providing the commentary for each of the successive codes).

Origen (185–253/4) An extremely prolific and original author on various Christian topics (comparatively few of his works survive). He was highly respected in his lifetime, but in late antiquity certain groups in the Greek East were condemned for adherence to beliefs attributed to him and "Origenism" fell into disrepute.

*Pandect* This was a medieval term for the *Digest*, which constituted one of the three sections of the final codification of Roman law promulgated under the late Roman Emperor Justinian (527–565). The work consists of extracts from the jurists of Roman civil law arranged under various rubrics in fifty books.

Paul of Burgos (ca. 1365–1435) Spanish biblical scholar whose *Additions* (*Additiones*) or marginal notes on the *Postilla* of Nicholas of Lyra was published several times in the 1480s.

Peter Damian, St. (1007–1072) Italian prior who was deeply involved in papal politics.

Peter de Palude (also Peter Paludanus, ca. 1280–1342) Prolific Dominican author whose works include a *Commentary on Pronouncements*.

Peter Lombard (ca. 1100–1160) Little is known of the man who produced one of the most influential books in the history of scholastic theology. His *Pronouncements* (generally known as *Sentences*) is a collection of excerpts from recognized Church authorities that are arranged under logical rubrics in four books. The work thus showed little originality but was a very convenient summary of views on a given topic. This collection was the standard introduction to theology throughout the scholastic period, and later theologians frequently wrote commentaries on the work.

Peter of Bonaventure See Bonaventure.

Peter of Tarentaise (1245–1277) French Dominican who became Pope Innocent V. He wrote a *Commentary on Pronouncements.*

Philosopher, The See Aristotle.

*Pronouncements* See Peter Lombard.

Ptolemy (Claudius Ptolemaeus, fl. 127–147) Ancient astronomer whose *Almagest* (known by its Arabic name) is a clear exposition of the heliocentric astronomical theory, and as the standard textbook on the subject in the medieval period it provided the basis for scholastic thought on the subject.

Raymund (of Penyafort, or Raymundus, 1180/85–1275) An influential Spanish canonist, he received from Pope Gregory IX the task of drawing up the collection of decretals knowns as the *Liber extra*.

Remigius (†908) The commentary on the letters of Paul written by Haimo of Auxerre was attributed to Remigius of Auxerre, a Benedictine monk who wrote a number of works of biblical exegesis.

Saintly Doctor, The See Thomas Aquinas.

*Scholastic History* This work of the twelfth-century ecclesiastic Peter Comestor ("The Master") was a sort of historical exegesis of the non-didactic books of the Bible that enjoyed great popularity in the late middle ages. Hence, the abbreviated form of reference to both the title and author (though the straightforward "Master" would more naturally be taken as referring to Peter Lombard).

Scotus (John Duns Scotus, ca. 1266–1308) Of Scottish origin (hence the name Scotus, which means "the Scotsman"), he was a Francisan friar who became one of the most influential scholastic theologians, but, since he was a Franciscan, it was somewhat unusual for Dominicans to follow his views.

Seneca (Lucius Annaeus Seneca, 4 BC / AD 1 – AD 65) Roman Stoic philosopher and author, he composed several tragedies, which were known in the middle ages. The one (tralaticious) quotation in the *Malleus* comes from his play *Medea*, but another quotation attributed to his tragedies actually comes from Publilius Syrus.

Severus (Sulpicius Severus, ca. 360 – ca. 420) Born to a high position in Gaul, he attached himself to St. Martin of Tours and wrote a number of works about his esteemed mentor.

*Six Principles* This work is an anonymous elaboration on the six of Aristotle's ten "categories" which he described less fully than the other four (the regular Latin translation of "category" was *praedicamentum*, but here it was rendered as *principia*, which is translated here as "principles"). This work came to be ascribed to Aristotle, but it was often considered by later scholastics to be the work of Gilbert of Porrée (a twelfth-century scholastic of dubious orthodoxy). Many people continued to consider the work anonymous, however, and this seems to be the case in the *Malleus*.

Strabus (Walafridus Strabus, †849) Monk of the famous monastery of Fulda, he was traditionally considered the author of the biblical *Ordinary Gloss*, though this attribution is no longer accepted.

Terence (Publius Terentius Afer, ca. 190 BC – 159 BC) Roman playwright.

Thomas Aquinas, St. (1224/6–1274) Italian scholastic ("Aquinas" means "of Aquino," his birthplace). A Dominican, he produced a very large number of works on theology, which eventually came to

be accepted as the standard exposition of Catholic doctrine (and were particularly esteemed in Dominican circles). He is frequently mentioned in the *Malleus* simply as the "Saintly Doctor" (*doctor sanctus*), which refers to his canonization. Though a number of his works are cited, the most frequent references are to his *Commentary on Pronouncements*, and to the *Summa theologica*. The peculiar method of citing the latter needs comment. The work is divided into three parts (the last completed, on the basis of his outline, by students, from material in the *Commentary on Pronouncements*), and the second part is itself divided into two parts. Due to its great prestige, the *Summa theologica* was quoted only by reference to the part without explicit mention of the title. References to *Part One* and *Part Three* are simple enough, but the second part was cited as *First* or *Second of the Second* without explicit mention of the word "part."

Thomas of Brabant (Thomas de Cantinpré, 1201–1271) Dominican scholastic. Among the works attributed to him is the *Universale bonum de apibus* ("Universal Good regarding Bees"), an allegorical treatment of moral precepts and the appropriate behavior of superiors and subordinates that deals with its subject through the image of bees.

Valerius The tract *Ad Rufinum* ("To Rufinus") is a work of humor that has been removed from its context and taken seriously. It was written by Walter Map (ca. 1140–1208/10), an English ecclesiastic with a rather secular sense of humor, and appeared in his *De nugis curialium* ("Jokes for Courtiers," 3.3-5). It was supposedly an earlier effort to show the evils of marriage to a friend called Johannes Rufus, with Map using the pseudonyms Valerius for himself and Rufinus for his addressee. The work was then detached and circulated separately, and in this guise enjoyed much popularity among those who favored celibacy. Its spurious argumentation is based on both Classical authors and Jerome's polemic against marriage entitled *Against Jovinianus*, but it contains much fictional elaboration.

Vincent (of Beauvais, ca. 1190 – ca. 1264) A Dominican friar who produced a massive encyclopedia of human knowledge. The whole work is known as the *Greater Mirror* (*Speculum majus*), and it is divided into four subsections, the first of which, the *Mirror of Nature* (*Speculum naturale*), covers the natural world, while the third, the *Mirror of History* (*Speculum historiale*), treats human history down to 1250.

William (of Auvergne, 1180/90–1249) A prolific writer on theological matters in the scholastic manner, and his *The Universe* (*De universo*) discusses philosophical questions about the created universe.

William Durand (Guilhelmus Durantis, 1231–1296) Important canonist whose *Speculum iudiciale* ("Judicial mirror") was a comprehensive treatment of legal procedure that remained a standard reference for centuries.

William of Montlezun (Guilhelmus de Monte Lauduno, †1343) Minor canonist.

### *(c) Citations of canon law*

The very large number of references to canon law contained in the *Malleus* has resulted in a special treatment of them. The method of citing the texts used in the *Malleus* reflects medieval practice, which is somewhat different from modern usage. Since the *Decretum* of Gratian was the first authoritative book of canon law, it was generally cited without mention of the title at all. The sections of the first part are cited as "dist(inction)," while the "causes" of the second part are cited merely by number; then the relevant question is listed. For the later collections of decretals, these are cited by name (though the *Liber extra (Decretum)* is referred to simply as the *Extra*), along with the relevant book and title. In modern texts, the canons are numbered sequentially, but the medieval practice was to quote the first word(s) of the text to indicate which specific canon was meant. In the translation, the titles are translated, since they could be understood even in the abbreviated way in which they were cited. On the other hand, the first word or words quoted from the canon itself were meaningless when quoted out of context, and so have been left untranslated. Instead of endlessly repeating the references for the commonly cited canons, I provide a list of the Latin words used to cite the canons with the corresponding numerical citations used in modern editions of the medieval canon law.

A recta: *Decretum* 2.24.1.9
Ab eo: *Liber Sextus* 2.15.6
Accepimus: *Liber Extra* 5.34.16
Accusatus: *Liber Sextus* 5.2.8
Ad abolendam: *Liber Extra* 5.7.9
Ad conditorem: *Extravagants of John XXII* 14.3
Ad ejus: *Decretum* 1.5.4
Afferte: *Liber Extra* 2.23.2

Alieni: *Decretum* 2.3.4.1
Anteriorum:[19] *Decretum* 2.2.6.28
Audi: *Decretum* 2.11.3.21
Cessante: *Liber Extra* 2.28.60
Constitueretur: see *ut constitueretur*
Consuetudinis:[20] *Decretum* 1.11.5
Consuluisti: *Decretum* 2.2.5.20
Cum contumacia: *Liber Sextus* 5.2.7
Cum dilectus: *Liber Extra* 5.34.11
Cum infirmitas: *Liber Extra* 5.38.13
Cum litteris: *Liber Extra* 2.20.33
Daemonium sustinenti: *Decretum* 2.26.7.18
De his vero: *Decretum* 2.33.2.12
Decrevimus: *Decretum* 2.3.9.10
Dixit: *Decretum* 2.32.1.2[21]
Dixit apostolus: *Decretum* 2.24.3.29
Episcopi: *Decretum* 2.26.5.12
Erubescant: *Decretum* 1.32.11
Ex tenore: see Ex tuarum
Ex tuarum: *Liber Extra* 5.21.2
Excommunicamus: *Liber Extra* 5.7.13 and 15
Excommunicamus itaque: *Liber Extra* 5.7.13
Filii: *Liber Sextus* 5.2.3
Gravem: *Liber Extra* 5.37.13
    Haec est fides: *Decretum* 2.24.14.1
    Haec tria: actually, the commentary to *Decretum* 2.3.7.1 (*Infamis*), which begins with "tria sunt"
Heresis: *Decretum* 2.24.3.27
Igitur: *Decretum* 2.26.3.1
Illud: *Decretum* 2.26.2.6
In fidei favorem: *Liber Sextus* 5.2.5
Indutiae: *Decretum* 2.3.3.3
Inquisitionis: see Inquisitores
Inquisitores: *Liber Sextus* 5.2.16
Inter sollicitudines: *Liber Extra* 5.34.10
Legi non debet: erroneous citation; perhaps *Decretum* 2.16.1.36 "Legi epistolam?"

[19] In the modern edition, § *Biduum* appears separately as Ch. 29.
[20] *Consuetudinem* in the official version.
[21] *Ait* in the modern text.

Licet Heli: *Liber Extra* 5.3.31
Litteras: *Liber Extra* 2.23.14
Menna: *Decretum* 2.2.5.7
Monomachiam: *Decretum* 2.2.5.22
Multorum querela: *Clementines* 5.3.1
Nec miris: see Nec mirum
Nec mirum: *Decretum* 2.26.5.14
Nec qui fidem:[22] *Liber Extra* 4.1.30
Non licet*: Decretum* 2.26.5.3
Non observabitis:[23] *Decretum* 2.26.7.16
Non oportet: *Decretum* 2.26.5.4
Non potest: *Decretum* 2.2.7.24
Nos in quemquem: *Decretum* 2.2.1.1
Noverit: *Liber Extra* 5.39.49
Per tuas: *Liber Extra* 2.20.48
Pervenit: *Liber Extra* 2.21.5
Presbyter: *Decretum* 2.2.4.5[24]
Primo: *Decretum* 2.2.1.13
Priusquam: *Decretum* 1.28.4
Pro dilectione: *Decretum* 3.2.95
Proposuisti: *Decretum* 1.82.2
Qualiter et quando: *Extra* 5.1.17 and 24
Quanto: *Extra* 2.23.8
Quantumlibet: *Decretum* 1.47.9
Qui contra pacem: *Decretum* 2.24.1.32
Qui illorum:[25] *Decretum* 2.24.3.32
Qui in ecclesia: *Decretum* 2.24.3.31
Qui viderit: *Decretum* 2.32.5.13
Quicumque: *Decretum* 2.23.7.1
Quicumque (haereticos): *Liber Sextus* 5.2.2
Quid ergo: *Decretum* 2.23.5. 6
Quisquis nec:[26] *Decretum* 2.2.8.3
Quisquis per pecuniam: *Decretum* 2.1.1.5
Quo jure: *Decretum* 2.8.1
Quorundam: *Decretum* 1.34.1

[22] *Is qui fidem* in the official version.
[23] *Non observetis* in the official version.
[24] Strictly speaking this is in Q. 5, but this question is placed directly after Q. 3 because of the similarity in content.
[25] *Qui aliorum* in the official version.
[26] This should be *quisquis ille*. Perhaps there has been some confusion in citation, as the relevant section follows a sentence beginning with *nec*.

Quotiens: *Decretum* 2.24.1.12
Sacius: *Decretum* 2.32.4.8
Saepe contingit: *Clementines* 5.11.2
Sciendum: *Decretum* 26.4.2
Si a sacerdotibus:[27] *Decretum* 2.15.6.1
Si aliquis: *Liber Extra* 5.12.5
Si autem: *Decretum* 2.11.3.11
Si de rebus*: Decretum* 2.23.7.2
Si peccatum: *Decretum* 2.33.3 ("Penance")
Si per sortiarias (et maleficas artes): *Decretum* 2.33.1.4
Si quando: *Decretum* 2.2.6.40
Statuta: *Liber Sextus* 5.2.20
Statutum: *Liber Sextus* 5.2. 9
Statutum Felicis: *Liber Sextus* 5.2.15
Super eo: *Liber Sextus* 5.2.4
Super quibusdam: *Liber Extra* 5.40.26
Testes: *Decretum* 2.4.2/3.1
Tua: *Liber Extra* 3.2.8
Ut commisi: *Liber Sextus* 5.2.12
Ut constitueretur: *Decretum* 1.50.25
Ut inquisitionis: *Liber Sextus* 5.2.18
Ut officium: *Liber Sextus* 6.2.11
Vergentis: *Liber Sextus* 5.2.10
Verum: *Liber Sextus* 5.2.11.1

### *(d) Outlining of the disputed questions*

To aid the reader in following the argument in disputed questions (discussed above), the standard abbreviations (based on the Latin terminology) that are used in modern editions of Thomas Aquinas to mark the separate sections are added in square brackets at the start of the relevant section of the translation:

[TT] = *Titulus* or "heading."
[AG1 etc.] = "argument" 1 etc.; designates the arguments adduced in favor of the false initial answer to the question.
[SC1 etc.] = *Sed contra* or "to the contrary."
[CO] = *Corpus* or "body."
[RA1 etc.] = *Ratio* or "reason" 1 etc.; designates the rebuttals of the corresponding argument at the beginning.

[27] Should be *si sacerdotibus*.

*(e) Remarks on certain words in the translation*

While I have on the whole tried to translate the *Malleus* with the normal diction of modern English (e.g. "incidental" for *accidentalis*, since "accidental" gives a rather different sense in regular usage), at times I have used words that give the flavor of the medieval thought of the work but may be subject to confusion if the sense is not explained. Sometimes this is accomplished with a footnote in the text, but there are certain such terms that crop up so frequently that it is more efficient to give a single discussion of them at the outset.

Breach of the Faith The Latin *perfidia* literally signifies the act of breaking one's pledge or faith, and in the ecclesiastical context it refers to someone who has abandoned or corrupted the Christian faith. Since the English derivate "perfidy" normally lacks this religious connotation, I have rendered it with a more literal phrase.

Doctor In normal English, this signifies someone with recognized medical competence, but the Latin word from which it comes simply signifies "teacher." In an ecclesiastic context, the word describes any recognized orthodox authority (known collectively as the "doctors of the church"). To avoid confusion, *medicus* (the Latin term for a medical authority) is translated as "physician."

*Experimentum* This was a medieval term for a procedure that experience has proven to be effective. The term often referred to a magical "spell" but was also used in other spheres of life like medicine (the distinction between what we would call "magic" and "science" being far from clear). I have chosen to retain the Latinate form in order to avoid any possible confusion through use of the modern derivate "experiment," which has become specialized to indicate a self-conscious (scientific) attempt to determine the efficacy of a procedure.

Nigromancer, nigromancy This is the medieval form for the Greek term *necromancy*, which literally signifies "corpse divination," a compound noun whose first element derives from the noun *necros* ("corpse"). Once knowledge of Greek was lost in Western Europe in the early medieval period, this element was confused with the Latin *niger* ("black"). Since the color black was associated with evil because of the blackness of night-time darkness, the use of the color to describe what was taken to be the evil practices of magic and witchcraft would have been perfectly natural, and the skills by which magic was practiced came to be known as the "black arts."

Given these associations with the black arts inherent in the form "nigromancy," I have decided to retain the medieval version rather than adapt it to the modern "necromancy," which has different connotations.

Pronouncement This is the more idiomatic translation used for the Latin *sententia.* This term is usually translated with its English derivative "sentence," which is normally restricted to the meaning "grammatically complete utterance" or "penal judgment in court." The Latin word more broadly signifies a pronouncement uttered by a person possessing some sort of prestige or authority (hence, the legal meaning), and in the religious context designates a statement of recognized validity issued with reference to some aspect of doctrine or dogma, in contradistinction to an "opinion" (*opinio*), which signifies a similar statement that is rejected by the speaker as a recognized pronouncement.

Sorcerer, sorceress, sorcery These words are used to translate the Latin *maleficus*, *malefica* and *maleficium*, the uniform terms used in the *Malleus* to describe malevolent magic and its practitioners. To some extent, "witch" and "witchcraft" would be the natural translations, but two considerations necessitated the choice of "sorcery" and related terms. First, there is no natural male equivalent in English to "witch," and some sort of directly related male term is needed both because of the not infrequent discussion in the work of male practitioners and because the work often slips into the masculine gender when speaking in generalities.[28] In addition, "witchcraft" similarly seems to be a female-oriented word, and so a gender-neutral term for practicing malevolent magic was called for. The terms related to "sorcerer" seemed best suited for the requirements. A further problem arises in reference to the term *maleficium*, which can signify not simply the practice of magic in the abstract but a specific instance of the practice. Furthermore, in this concrete usage, the term can designate both the physical item that causes the magical result and the physical manifestations in the victim. Since no single English word can convey these meanings, I have translated them respectively as "instrument of sorcery" and "spell of sorcery."

[28] "Male witch" is too cumbersome and would be misleading in generalizing contexts. "Wizard" and "warlock" suffer from the same disadvantage, and in any case these words connote the practitioners of learned magic, who are most certainly not the people intended when the term *maleficus* is used.

Virtue In addition to the meaning of "moral excellence," which is the normal meaning of the English derivate, the Latin *virtus* also has the sense of an inherent (and often secret) "power" or "capacity" to do something. The word always has this sense here, so that the "virtue of demons" has nothing to do with their morality.

Work, to work The Latin noun *opus* and the derivate verb *operari* are basic elements in the medieval conception of religious action. These words refer to the "works" that bring merit or demerit in a person's life, and while at times English idiom would seem to suggest other translations like "deed" or "to do," I have regularly stuck to "work" in order to make the religious implications clear.

### *(f) Difficulties with grammatical gender*

In Latin, the masculine and feminine genders are clearly distinguished, and the difference between the two forms is often marked by changing a single letter (e.g. *malefici* "sorcerers" vs. *malefice* "sorceresses" in medieval orthography). In the manuscript for the *Nuremberg Handbook*, which preserves the clean copy submitted by Institoris to the city council and gives direct evidence for his usage, Institoris frequently writes one gender (masculine or feminine) and then repeats the ending for the other gender in superscript letters (e.g. *malefici*$^{e}$ for "sorcerers/sorceresses"). The first edition of the *Malleus* has no direct correspondence to this usage, but one frequently finds masculine forms appearing where one would expect feminine ones. Sometimes, the masculine forms seem to be generalizing (the masculine gender can be used in Latin when no one in particular is meant), and sometimes anomalous forms can be ascribed to incomplete adaptation of a source (especially Eymeric). But in some instances, the context clearly demands the feminine instead of the masculine form in the text, and perhaps the incorrect gender can be ascribed to the impossibility of rendering in printed format the sorts of superscript letters used in the *Nuremberg Handbook* (though clumsy composition can never be excluded as the cause). In any case, the misuse of gender is quite noticeable in the Latin, and no effort is made in the translation to correct these apparent errors, so that the translation reproduces the jarring sound of the original.

*The Hammer of Witches*

# *Structure of the text*


Author's Justification of the "Hammer for Sorceresses" *page* 69

Text of the Apostolic Bull 71

Approbation and Signatures of the Doctors of the Illustrious University of Cologne 74

PART ONE

Question 1 (whether claiming that sorcerers exist is such a Catholic proposition that to defend the opposite view steadfastly is altogether heretical) 91

Question 2 (whether it is a Catholic proposition to claim that in order to achieve an effect of sorcery the demon always has to co-operate with a sorcerer, or that one without the other (the demon without a sorcerer or the other way around) can produce such an effect) 105

Question 3 (that it is a Catholic proposition to claim that humans can be begotten by incubus and succubus demons) 121

Question 4 (it is a Catholic proposition to claim that the acts of incubus and succubus demons are appropriate for all unclean spirits equally and without distinction) 133

Question 5 (whether a Catholic can in any way hold the view that the origin and increase in number of sorcerers' works derive from the influences of the heavenly bodies or from the superabundant evil of humans, and not from the filthy acts of incubus and succubus demons) 139

Question 6 (why a larger number of sorcerers is found among the delicate female sex than among men; what

sort of women are more often to be found to be superstitious and sorceresses) 159
Question 7 (whether sorceresses can turn the minds of men to love or hatred) 173
Question 8 (whether sorceresses can impede the faculty to procreate) 187
Question 9 (whether sorceresses work on male members through the illusion of conjuring as if these limbs were completely pulled out of the body) 194
Question 10 (whether sorceresses work on humans by turning them into the shapes of beasts through the art of conjuring) 201
Question 11 (that in various ways midwife sorceresses kill the fetuses in the womb and cause miscarriages, and when they do not do this, they offer the new-borns to demons) 211
Question 12 (whether the endorsement of divine permission in connection with these works on the part of sorcerers is so Catholic a proposition that the opposite view (rejection of such permission) is altogether heretical) 213
Question 13 (the two forms of divine permission justly granted by God, as a result of which the works of sorcerers are justly permitted, namely the Devil's sinning as the originator of every evil and also the fall of the First Ancestors) 222
Question 14 (whether the criminal deeds of the sorcerers surpass all the evil things that God permits and has permitted to happen from the beginning of the world until the present day both in terms of instances of guilt and penalties and losses) 227
Question 15 (that on account of the sins of sorceresses, innocent people are often affected by sorcery, though sometimes this is also because of their own sins) 236
Question 16 (the foregoing truth is specifically explained by comparing the works of sorceresses to other varieties of superstition) 242
Question 17 (explanation of the fourteenth, comparing the seriousness of the crime to any sins on the part of demons) 247

Question 18 (the method of preaching against the five arguments of laymen, by which various among them imagine that they prove that God does not permit such power to the Devil and sorceresses in connection with inflicting such acts of sorcery) 250

PART TWO 261

Introductory Question (whether someone can be so benefited by good angels that he cannot be affected with sorcery by sorceresses in any of the methods described below) 262

Question 1

Chapter 1 (the different methods by which demons allure and entice the innocent through sorceresses to increase this form of breaking the Faith) 275

Chapter 2 (the method of making a sacrilegious avowal) 281

Chapter 3 (the method by which they are transferred in location from place to place) 292

Chapter 4 (the method by which they subordinate themselves to incubus demons) 302

Chapter 5 (the general way in which sorceresses practice their acts of sorcery through the Sacraments of the Church and on the way in which they impede the force of procreation or produce any other defects in any creations, except for the heavenly bodies) 315

Chapter 6 (the method by which they impede the force of procreation) 320

Chapter 7 (the way in which they take away male members) 323

Chapter 8 (the methods by which they change humans into the shapes of wild beasts) 330

Chapter 9 (how demons exist inside bodies and heads without causing harm when they work changes involving conjuring) 334

Chapter 10 (the method by which demons sometimes inhabit humans in substance through the workings of sorceresses) 343

Chapter 11 (the method by which they can inflict every kind of illness (in general terms about the more serious illnesses)) 353
Chapter 12 (the method by which they inflict other quite similar illnesses in particular on humans) 361
Chapter 13 (the method by which midwife sorceresses inflict greater losses when they either kill babies or offer them to demons by dedicating them with a curse) 366
Chapter 14 (the method by which sorceresses inflict various forms of harm on domestic animals) 375
Chapter 15 (the method by which they stir up hailstorms and rainstorms and also make lightning strike humans and domestic animals) 380
Chapters 16–18 (the three methods by which men and not women are found to be tainted with acts of sorcery) 386
Question 2
Introductory Question (whether it is lawful to remove acts of sorcery through other acts of sorcery or through other unlawful means) 398
Chapter 1 (ecclesiastical remedy against incubus and succubus demons) 413
Chapter 2 (remedies for those who are affected with sorcery in the power of procreation) 421
Chapter 3 (remedies for people affected by sorcery in terms of irregular love or hatred) 426
Chapter 4 (remedies for those from whom the male member has been removed through the magical art and for the instances when humans are transformed into animals) 431
Chapter 5 (remedies for those under siege as a result of sorcery) 435
Chapter 6 (remedies through lawful exorcisms of the Church against any illnesses inflicted by sorceresses, and the method of exorcizing people affected by sorcery) 443
Chapter 7 (remedies against hailstorms and for domestic animals affected by sorcery) 462

Chapter 8 (certain hidden remedies against certain hidden vexations on the part of demons) 470

PART THREE

Introductory Question (whether sorcerers and those who abet, receive and defend them are subject in such a way to the ecclesiastical passing of judgment by diocesans and to the civil passing of judgment, that the inquisitors of heretical depravity can be relieved of conducting an inquisition into them) 477
Question 1 (the method of initiating the proceedings) 502
Question 2 (the number of witnesses) 508
Question 3 (whether they can be forced to give an oath) 510
Question 4 (the status of the witnesses) 511
Question 5 (whether mortal enemies are allowed to give testimony) 512
Question 6 (how the proceedings are to be continued: how the witnesses are to be examined in the presence of four other persons, and the two ways in which the denounced woman is to be questioned) 513
Question 7 (various doubts are explained about the previous lists of questions and negative answers, whether the denounced woman should be imprisoned, and when she should be considered to be manifestly caught in the Heresy of Sorceresses) 521
Question 8 (whether she should be imprisoned and the method of arrest) 524
Question 9 (what should be done after the arrest and whether the names of those giving depositions should be made known to her) 526
Question 10 (how lines of defense are to be granted along with the assignment of an advocate) 529
Question 11 (what the advocate will do when the names of the witnesses are not revealed to him) 532
Question 12 (further explanation of how mortal enmity is to be investigated) 536
Question 14 (the things that the judge has to consider before setting out the list of questions in the prison and torture chamber) 541

Question 15 (the continuation of the torture and the stratagems and signs by which the judge can recognize a sorceress, and how he ought to forearm himself against their acts of sorcery, and how they should be shaved, and the situation where they have hidden devices for sorcery, along with various explanations of how to block the sorcery of silence) 548
Question 16 (the time and second method of questioning) 556
Question 17 (the vulgar form of purgation, and especially the examination by glowing iron, to which sorceresses appeal) 560
Question 18 (the definitive sentence as such and how it should be passed) 565
Question 19 (how many methods create a suspicion that results in the passing of sentence) 568
Question 20 (the method of passing sentence) 576
Question 21 (the method of sentencing a denounced woman who merely has a bad reputation) 579
Question 22 (the method of passing sentence on a woman with a bad reputation who is to be exposed to questioning under torture) 583
Question 23 (the method of passing sentence on a denounced woman who is lightly suspected) 587
Question 24 (the method of passing sentence on a woman vehemently suspected) 590
Question 25 (the method of passing sentence on a denounced woman who is violently suspected) 595
Question 26 (the method of passing sentence on a denounced woman who is suspected and has a bad reputation) 602
Question 27 (the method of passing sentence on a woman who has confessed heresy but is penitent) 606
Question 28 (the method of passing sentence on a woman who has confessed heresy but is relapsed, though repentant) 611
Question 29 (the method of passing sentence on a woman who has confessed heresy but is impenitent and yet not relapsed) 616
Question 30 (the woman who has confessed heresy and relapsed and is impenitent) 618

Question 31 (the person who is convicted and caught, but denies everything) 621
Question 32 (the person who is convicted but who is a fugitive or contumaciously absents himself) 626
Question 33 (how to pass sentence on a person denounced by another sorceress who has been or is to be burned to ashes) 633
Question 34 (the method of passing sentence on a sorceress who breaks acts of sorcery, and on sorceress midwives and sorcerer archers) 640
Question 35 (the methods of sentencing any sorcerers who lodge frivolous or unjust appeals) 648

## AUTHOR'S JUSTIFICATION OF THE "HAMMER FOR SORCERESSES" 2A

IN THE MIDST OF the disasters of the collapsing secular world, which, alas, we do not so much read of as experience in various places, the Ancient Rising Sun,[1] who was perverted through the ineluctable damage caused by his downfall, has never ceased, since the beginning, to taint the Church, which the New Rising Sun,[2] the human Jesus Christ, has made fruitful through the shedding of His own Blood, with the poison of various heresies. Nonetheless, he attacks through these heresies at that time in particular, when the evening of the world declines towards its setting and the evil of men swells up,[3] since he knows in great anger, as John bears witness in the Book of Apocalypse [12:12], that he has little time remaining.[4] Hence, he has also caused a certain unusual heretical perversity to grow up in the land of the Lord – a Heresy, I say, of Sorceresses, since it is to be designated by the particular gender over which he is known to have power. He contrives these things through countless forms of assault, and this one is carried out in the form of individual works. This is clearly daunting to conceive of, exceedingly loathsome to God and hateful to all believers in Christ, since in accordance with their agreement with Hell and treaty with Death[5] they submit themselves to the foulest slavery in return for fulfilling their filthy acts of depravity. This heresy also consists of losses that are inflicted in the form of daily misfortunes on humans, domestic animals and the fruits of the earth through the permission of God and with the co-operation of demons.

In the midst of these evils, we Inquisitors, Jacobus Sprenger together with the very dear associate[6] delegated by the Apostolic See for the extermination of so destructive a heresy, though very insignificant among the Professors of Holy Theology in the Order of Militant Preachers, nonetheless considered with a pious and grieving mind what remedy or solace should be administered to people as a salutary cure, | and thought it right 2B
to set our shoulders to this work[7] before all other remedies, confident that by the mellifluous generosity of Him Who gives to all plentifully and Who, having taken the pebble from the altar with tongs, touches

[1] I.e., Lucifer (cf. Isaiah 14:12).
[2] For this conception, see Luke 1:78.
[3] For this notion, see 16C.
[4] The idea is that while the devil has always attempted to undermine the church through promoting heresy, this sort of attack increases as the end of the world approaches (see 138C).
[5] Allusion to Isaiah 28:15, 18, where a "treaty with death and pact with Hell" is mentioned.
[6] I.e., Institoris.
[7] I.e., the *Malleus Maleficarum*.

the lips of the imperfect and cleans them,[8] we will bring everything to the desired conclusion.

In the works of men nothing is done that is so useful and lawful that no calamity can be inflicted on it, and our meagre intellects are also unable to achieve the perfection of truth unless they are greatly polished with the file of someone else's depravity, but it is with confidence that we approach the struggle with him who thinks that we are to be rebuked on account of the novelty of the work. Let him know that this very work is at once new and old, short and at the same time lengthy. It is old certainly in content and authority but new in the grouping of its parts and in their being brought together; short because of the abridgment of a very large number of authors but nonetheless long because of the vast extent of the subject matter and the impenetrable evil of the sorceresses. We do not say this arrogantly, belittling the writings of the other authors or boastfully and vainly praising our work, since from our intellect little or virtually nothing has been added, and hence this work is considered to belong not to us but to those men from whose writings the individual sections have generally been woven together.

For this reason we have likewise undertaken neither to write poems nor to draw out lofty theories,[9] but in adopting the procedure of excerptors in honor of the highest Trinity and of their individual Unity with reference to the three major divisions (beginning, development and end), naming the treatise the "Hammer for Sorceresses," we are undertaking the task of compiling the work for an associate[10] and the implementation for those whom the most severe judgment threatens,[11] because it is obvious that God has set them in authority for the purpose of punishing the wicked and of praising the good. To Him be all honor and glory for ages of ages! Amen.

[8] Reference to Isaiah 6:6–7. After seeing God, Isaiah remarks upon his misfortune in seeing God when his lips are unclean through contamination from his unclean neighbors, whereupon a seraph takes coal from the altar and cleans Isaiah's lips, thereby relieving him of his guilt. When God then rhetorically asks who should be his prophet, Isaiah feels free to offer his services. The implication is that God has likewise granted to the authors of the text authorization to speak on his behalf.

[9] The contrast here is best understood in terms of contemporary university life, where there was competition between the arts curriculum, which was associated by its enemies with "poets" (meaning all authors of Classical Latin) on the one hand and theology on the other. The sense, then, is that the authors are indulging in the composition neither of classicizing poetical works nor of abstruse theological treatises. Their work has a more practical purpose.

[10] Presumably, an ecclesiastic; see 2A, where Institoris is characterized as Sprenger's "associate," and 108C, where the Inquisitor of Como is called "our associate."

[11] I.e., the secular authorities, the phrase coming from the Book of Wisdom (omitted in Protestant Bibles) 6:6.

THE TEXT OF THE APOSTOLIC BULL AGAINST THE HERESY OF SORCERESSES, TOGETHER WITH THE APPROBATION AND SUBSCRIPTION OF THE DOCTORS OF THE BENEFICENT UNIVERSITY OF COLOGNE CONCERNING THE FOLLOWING TREATISE, BEGINS WITH GOOD FORTUNE 1A*

BISHOP Innocent,[12] servant of the servants of God, to preserve the memory of this act. Desiring with the greatest yearning, as the care dictated by pastoral concern requires, that in Our times in particular the Catholic Faith should be strengthened and flourish, and that every form of heretical depravity should be driven far from the borders of the faithful, We readily proclaim and grant anew those provisions through which this pious desire of Ours may receive the longed-for outcome, and after all errors have as a result been eradicated through the ministry of Our working as if through a repair effected by a foresightful worker, the zeal and observance of this Faith may be pressed more firmly into the hearts of the faithful.

It is not without great vexation that it has recently come to Our hearing that in some parts of Upper Germany, as well as in the provinces, cities, lands, places and dioceses of Mainz, Cologne, Trier, Salzburg and Bremen, very many persons of both sexes have forgotten their own salvation and deviated from the Catholic Faith. Committing abuses with incubus and succubus demons, they have no fear of using their incantations, chants and conjurations and other unspeakable superstitions and acts of sorcery, as well as excesses, crimes and misdeeds, in order to bring it about that the offspring of women, the progeny of animals, the produce of the earth, the grapes of the vines and the fruits of the trees as well as men, women, work animals, cows, sheep and other animals of various kinds, and also the vines, orchards, fields, pastures, wheat, grain, and other crops of the earth are killed, suffocated and wiped out. They also afflict and torture these men, women, work animals, cows, sheep and animals with terrible pains and torments, both internal and external, and keep the | men from fathering children and the women 1B* from conceiving by impeding their ability to render the conjugal act to each other. For this purpose, with sacrilegious speech they renounce the Faith that they received by receiving Holy Baptism, and they commit and carry out very many other unspeakable acts, excesses and crimes. They do this at the instigation of the Enemy of the Human Race, and the result is that their own souls are endangered, God's majesty is offended,

[12] I.e., Pope Innocent VIII.

and a scandalous example is set for very many people. We have also heard that while Our beloved sons Henricus Institoris and Jacobus Sprenger, who belong to the Order of Preachers[13] and are Professors of Theology, were appointed by Apostolic Letter as Inquisitors into Heretical Depravity and still exercise this capacity, the former in the aforementioned parts of Upper Germany in which these provinces, cities, lands, dioceses and other places are considered to be included, the latter in certain regions along the Rhine, nonetheless a certain number of clergy and laymen in those regions, seeking to know more than they ought to,[14] feel no shame at claiming obstinately, that because in the letter of appointment these aforementioned provinces, cities, dioceses, lands and other places, and these persons and excesses were not mentioned specifically by name, those places are by no means contained within those regions. On this basis, they argue that it is not permissible for the aforementioned Inquisitors to carry out the office of such an inquisition in the aforementioned provinces, cities, dioceses, lands and places, and that they should not be allowed to punish, imprison, and correct these persons for the aforementioned excesses and crimes. For this reason, in the aforementioned provinces, cities, dioceses, lands and places, such excesses and crimes remain unpunished, not without the obvious loss of these souls and the forfeit of their Eternal Salvation. Accordingly, it is Our wish – and to this end We are especially impelled by Our zeal for the Faith – to get rid of any impediments by which the execution of these Inquisitors' office can in any way be impeded and, as is incumbent upon Our office, to use suitable remedies to ensure that the stain of heretical depravity and of other such excesses will not spread its poisons
2A* | and cause the destruction of other innocents, Our purpose being that the aforementioned provinces, cities, dioceses, lands and places in these regions of Upper Germany should not for this reason lack the Office of the Inquisition. Therefore, by Apostolic authority We ordain through the text of the present letter that these Inquisitors are authorized to carry out the Office of the Inquisition in those places and to correct, imprison and punish these persons for the aforementioned excesses and crimes in all regards and by all means, just as if such provinces, cities, dioceses, lands and places and such persons and excesses had been specifically mentioned by name in the aforementioned letter. As a further precaution, by extending the aforementioned letter and appointment to such provinces,

[13] Official designation of the Dominican Order.

[14] A reference to Romans 12:3, where Paul enjoins members of the church in Rome not to be arrogant.

cities, dioceses, lands and places as well as to such persons and crimes, We grant anew by the same authority to the aforementioned Inquisitors full and unrestricted power to carry out the office of such inquisition in the aforementioned provinces, cities, dioceses, lands and places against whatever persons, of whatever status and pre-eminence they may be, and to correct, imprison, punish and fine according to their demerits those persons whom they will find culpable in connection with the foregoing. They may do so together, or one of them may do so by summoning to act as a second[15] Our beloved son Johannes Gremper,[16] cleric of the diocese of Constance and Master in the arts, who is their notary, or any other public notary who is to be deputized temporarily by one or both of them. They are also lawfully and without restriction entitled to propound and preach the Word of God to the congregation in the individual parochial churches of such provinces whenever this will be beneficial and they decide to do so. They may carry out and perform each and every other act necessary and suitable in connection with and concerning the foregoing.

Nonetheless, We give to Our venerable brother, the Bishop of Strasburg,[17] the written Apostolic order that he should, either personally or through another cleric or clerics, make the foregoing public when, where and as often as he will recognize this to be beneficial | and he will have 2B*
been lawfully asked to do so by these Inquisitors or one of them. He is not to permit them to be harassed by any authority or impeded in any other way whatsoever by any people in connection with this in violation of the text of the aforementioned and the present letter, restraining through the sentences, censures and punishments of excommunication, suspension and interdict or whatever more fearsome punishments he will think right any rebellious harassers, impeders and contradictors, of whatever dignity, status, rank, pre-eminence, nobility, excellence or condition they are and by whatever privilege of exception they are protected, all right to appeal being disregarded. Whenever it will be necessary, by Our authority he is to cause these sentences to be aggravated and aggravated again in the lawful proceedings that he must follow in these matters, invoking the aid of the secular arm for this purpose if necessary. No obstacle is provided by the foregoing or by any contrary Apostolic decisions and

[15] I.e., to make sure that two men are present in an official capacity in order to guarantee the legality of the proceedings.

[16] Johann Gremper of Laufenburg was an Imperial notary.

[17] Albrecht of Bavaria (in office 1478–1506). The reason for the specific injunction to him is unknown. Presumably, he had already obstructed proceedings involving sorceresses or was expected to do so.

commands whatsoever, or by the Holy See having perchance granted to some people in common or separately the indulgence that they may not be interdicted, suspended or excommunicated by Apostolic letters that do not make a full, explicit and word-for-word mention of such indulgence, or by any other indulgence of said See – whether general or specific, of whatever thrust it may be – which could in any way impede or postpone the effect of such a grace[18] by not being mentioned in the present letter or inserted in its entirety in it, and regarding which there must be specific mention of each individual throughout the text of Our letter. Accordingly, let no one be permitted to violate this text containing Our declaration, extension, grant and order or oppose it with rash boldness. If someone does presume to attempt this, let him know that he will incur the outrage of Omnipotent God and of St. Peter and St. Paul, His Apostles. Issued in Rome at St. Peter's, in the year of the Incarnation of the Lord 1484, on the Nones [5th] of December, in the first year of Our Pontificate.

## 3A* THE APPROBATION OF THE FOLLOWING TREATISE AND THE SIGNATURES THEREUNTO OF THE DOCTORS OF THE ILLUSTRIOUS UNIVERSITY OF COLOGNE FOLLOWS IN THE FORM OF A PUBLIC DOCUMENT[19]

IN THE NAME OF Our Lord Jesus Christ. Amen. Let all those who will read, see or hear the present public document know that in the year since the Birth of Our Lord 1487, in the fifth indiction,[20] on Saturday, the nineteenth day of May, at five in the afternoon or thereabouts, in the third year of the Pontificate of Our Lord, the Most Holy Father in Christ, Lord Innocent VIII, by Divine Providence Pope, in the presence of my notary public and of the witnesses written below who had been specifically summoned and asked for this purpose, the venerable and religious[21] Brother Henricus Institoris, Professor of Holy Theology and member of the Order of Preachers, who was appointed as Inquisitor into Heretical Depravity by the Holy See along with his colleague, the venerable and religious Brother Jacobus Sprenger, also a Professor of Holy

[18] I.e., the grant of authority to Institoris and Sprenger.

[19] A "public document" was one that met the specifications necessary for it to be considered valid in official contexts.

[20] I.e., the fifth year of the indiction, which is a recurring cycle of fifteen-year periods that dates back to the Roman Empire and was used in dating ecclesiastical documents.

[21] I.e., one who has undertaken a vow as a monk or friar, which is called *religio* in Latin.

Theology and Prior of the Convent of Preachers in Cologne, explained and stated on behalf of himself and his aforementioned colleague that the present Supreme Pontiff (the aforementioned Lord Innocent the Pope) by a Bull Patent entrusted to these Inquisitors, the aforementioned Henricus and Jacobus, members of the Order of Preachers and Professors of Holy Theology, gave permission to conduct an inquisition by Apostolic authority into any heresies whatsoever, but especially into the Heresy of Sorceresses, which is flourishing in the present day, particularly throughout five archbishoprics, namely Mainz, Cologne, Trier, Salzburg and Bremen, granting them full permission to conduct proceedings against such people until their final extermination according to the text of the Apostolic Bull that he had in his hands and that was whole, intact, unharmed and unvitiated and lacked any grounds for suspicion at all. The text of this Bull begins, "Bishop Innocent, servant of the servants of God, to preserve the memory | of this act. Desiring with the 3B*
greatest yearning, as the care dictated by pastoral concern requires, that in Our times in particular the Catholic Faith should be strengthened and flourish," and it ends, "Issued in Rome at St. Peter's, in the year of the Incarnation of the Lord 1484, on the Nones [5th] of December, in the first year of Our Pontificate."

Some curates of souls and preachers of the Word of God feel no shame at claiming and affirming in their sermons to the congregation that sorceresses do not exist or that they are unable by any working to bring about an effect resulting in harm to creatures, and as a result of these imprudent sermons the ability to punish such sorceresses through the secular arm is cut off, which results in a very great increase in the number of sorceresses and in the strengthening of that heresy, and for this reason, the aforementioned Inquisitors, in their desire to block every danger and attack with all their strength, put together a certain treatise, not so much by thorough study as by hard work. In it, they did not so much strive to fight back the ignorance of such preachers in order to save the Catholic Faith as toil to exterminate the sorceresses by explaining the appropriate methods of sentencing and punishing them in accordance with the text of the aforementioned Bull and the regulations of the Holy Canons, thereby achieving their extermination. It is consonant with reason that those things that are done on behalf of the common good should also be confirmed through the common approval of the Doctors, and therefore, lest the aforementioned poorly educated curates and preachers think, in their ignorance of Holy Scripture, that the aforesaid treatise, which was composed in the manner mentioned above, is poorly supported by

the determinations and pronouncements of the Doctors, they offered it for examination and comparison against Scripture to the illustrious University of Cologne or rather to certain Professors of Holy Theology, in order that if any things were found to be worthy of censure or incompatible with the Catholic Truth, they should be refuted by the judgment of those Professors, and that those things found to be compatible with the Catholic Truth should be approved. This was in fact done in the ways written below.

4A* First, the outstanding Lord Lambertus de Monte[22] signed with his own hand, as follows. I, Lambertus de Monte, humble Professor of Holy Theology, temporary Dean of the Faculty of Holy Theology at Cologne, proclaim by this, my own hand, that this three-part treatise, which has been examined by me and carefully compared against Scripture with regard to its first two parts, contains nothing, in my humble judgment at least, that is contrary to the pronouncements of the non-erroneous philosophers, or against the Truth of the Holy, Catholic and Apostolic Faith, or against the determinations of the Doctors approved or admitted by the Holy Church, and that the third part should certainly be upheld and approved in regard to the punishments of those heretics whom it treats, in that it does not contradict Holy Canons, and also because of the personal experiences described in this treatise, which are believed to be true because of the reputation of such great men, particularly since they are inquisitors. It should be ensured that this treatise will become known to learned and zealous men, who will then, on the basis of it, provide various healthy and appropriate advice for the extermination of sorceresses, and likewise to the curates of churches, that is, to devout and conscientious ones, since on the basis of their learning it will be possible for the hearts of those subject[23] to these curates to be incited to hate such a baneful heresy. This will serve two purposes: protecting the good on the one hand and preventing the evil from having any excuse and punishing them on the other. In this way, mercy will become clearer than daylight in the case of the good and justice in the case of the evil, and in all regards God, Himself being excellent, will be magnified, to Whom be the praise and the glory.

[22] Lambert of s'Heerenberg, the most prominent follower of Thomas and Aristotle at the University of Cologne. He also held numerous important administrative positions at the university.

[23] Medieval theory held that in church matters the members of the church were "subject" to governance by their ecclesiastical superiors in the same way that people were subject to their secular rulers in their temporal affairs.

Next, the venerable Master JACOBUS de Stralen[24] also signed to this effect with his own hand in the following manner. I, Jacobus de Stralen, the least important Professor of Holy Theology, have inspected the aforementioned treatise, and my opinion conforms in all regards with the statements made above by the venerable Our Master Lambertus de Monte, Dean of Sacred Theology. To this I bear witness with this writing of my own hand, for the praise of God.

Similarly, the outstanding Master ANDREAS de Ochsenfurt[25] also signed with his own hand, as below: |It seems to me, Andreas de Ochsen- 4B*
furt, the newest Professor of Holy Theology, that a similar opinion must be given regarding the content of the treatise that has been submitted, at least as far as the surface impression that it gave is concerned.[26] This I attest with the writing of my own hand, to promote the purpose expressed in it.

Then the outstanding Master THOMAS de Scotia[27] similarly signed with his own hand, as follows. I, Thomas de Scotia, Doctor of Holy Theology (however unworthy), have an opinion that in all regards is in conformity with the previous Our venerable Masters concerning the content of the aforementioned treatise, which has been examined by me. This I attest with my own hand.

Next, a second signing against the aforementioned incautious preachers was made in the following way. First, articles were set out as follows.

1) The Masters of Holy Theology written below commend the Inquisitors into Heretical Depravity appointed by the authority of the Apostolic See in conformity with the Canons, and urge that they think it right to carry out their office zealously.
2) The proposition that acts of sorcery can happen with God's permission through sorcerers or sorceresses when the Devil works with them is not contrary to the Catholic Faith, but consonant with the statements of Holy Scripture. Indeed, according to the pronouncements of the Holy Doctors it is necessary to admit that such acts can sometimes happen.
3) It is therefore erroneous to preach that acts of sorcery cannot happen, because in this way preachers impede, to the extent that they can, the pious work of the inquisitors, to the prejudice of the salvation of

[24] Jacobus Straelen of Noetlinck.
[25] Andreas Schermer of Ochsenfurt.
[26] Note how qualified this approval is. Andreas would seem to be allowing himself a lot of leeway if the *Malleus* was later determined to be erroneous.
[27] Thomas Lyel of Scotland.

souls. Nonetheless, secrets that are heard at any time by inquisitors should not be revealed to everyone.

4) All princes and Catholics should be urged to think it right to assist such pious vows on the part of the Inquisitors in defense of the Holy Catholic Faith.

Next, the Doctors of the aforementioned Faculty of Theology, who are written above and below, signed with their own hands in the following manner, as I, Arnold, the notary mentioned below, heard from the report under oath of the respectable Johannes Vorda[28] of Mecheln, sworn Beadle[29] of the illustrious University of Cologne, who reported this to me, and saw on the basis of the appearance of the handwriting above and below.

5A* I, Lambertus de Monte, humble Professor of Holy Theology and temporary Dean, have opinions as is written above, this hand of mine serving as witness.

I, Jacobus de Stralen, the least important Professor of Holy Theology, have an opinion as is written above. This I attest with my own hand.

I, Udalricus Kridwiss de Esslingen,[30] newest Professor of Holy Theology, think, by this writing of my own hand, that one should have an opinion as is written above.

I, Conradus de Campis,[31] most humble Professor of Holy Theology, also concur with my elders in this judgment, as above.

I, Cornelius de Breda,[32] the least important Professor of Holy Theology, have an opinion as is written above. This I attest with my own hand.

I, Thomas de Scotia, Professor of Holy Theology, though unworthy, have an opinion in agreement with the aforementioned venerable professors, my own hand serving as witness.

I, Theodericus de Bunwell,[33] most lowly Professor of Holy Theology, have opinions as is written above by my aforementioned masters. This I attest with my own hand.

In affirmation of the aforementioned articles, I, Andreas de Ochsenfurt, Professor of the Faculty of Holy Theology and least

[28] Johann Vörde.
[29] Secretary of the rector or dean of the university, the beadle normally certified internal university documents.
[30] Ulrich Kridweiss of Esslingen.
[31] Konrad Vorn of Kampen.
[32] Cornelius Pays of Breda.
[33] Dietrich of Balveren (Bummel).

important of the theologians of the College of the University of Cologne, hold a judgment that conforms with that of the venerable Our Masters, my teachers.

Last and finally, the said venerable friar, Brother Henricus Institoris, Inquisitor, had and held in his hands a certain other parchment letter[34] of the most serene King of the Romans[35] sealed with his round red seal, which hung down attached to a parchment tag impressed into a background of grey wax, this letter being whole, intact, unvitiated, uncancelled and not suspect in any part of it, and | altogether free of 5B*
any fault. Its sense was that to expedite this business involving the Faith, the same Most Serene Lord, the aforementioned King of the Romans, wished and wishes, as a most Christian prince, to protect and uphold this same Apostolic Bull mentioned above, takes these Inquisitors under his complete protection, ordering and commanding each and every subject of the Roman Empire to render all favor and assistance to these Inquisitors and otherwise to act in the manner that is more fully contained and included in the letter. The beginning and end of this princely letter are noted hereafter in the following way: "Maximilian, by the favor of divine clemency King of the Romans, ever August, Archduke of Austria, Duke of Burgundy, Lorraine, Brabant, Limburg, Luxemburg and Gelder, Count of Flanders" and so on, ending, "Issued in Our town of Brussels under Our seal, on the sixth day of the month of November, in the year of the Lord 1486, the first year of Our Reign."

About and concerning each and every item of the aforementioned, the said venerable friar, Brother Henricus, Inquisitor, asked of me, the notary public written above and below, on behalf of himself and his aforementioned colleague, that one or more public documents be made and completed in the better format. These proceedings were transacted in Cologne in the house of residence of the aforementioned venerable Master Lambertus de Monte, which is placed under the immunity[36] of the Church of St. Andrew, in the room of business and study downstairs in the same year of the Lord, indiction, month, day, hour and pontificate as above, in the presence there of the aforementioned Master

[34] This does not survive.

[35] Maximilian, the son of the Holy Roman Emperor Frederick III, had been elected King of the Romans (that is, Holy Roman Emperor elect, his father being the last emperor to be crowned by the pope in Rome) in 1486, and ruled both in Austria in lands assigned to him by his father and in the Lowlands as the husband of the heiress of the Duke of Burgundy.

[36] I.e., the residence was legally protected by the privileges of the church, thereby enjoying exemption from municipal taxation and jurisdiction. As a canon of this church, Lambertus de Monte had his residence in this house.

Lambertus and Johannes the beadle, as well as the respectable gentlemen Nicholas Cuper de Venrath, the sworn notary of the venerable Curia[37] |of 6A*
Cologne, and of Christianus Wintzensis of Euskirchen,[38] cleric of the Diocese of Cologne, all having been asked and requested as trustworthy witnesses for the aforementioned.

Whereas I, Arnold Kolich of Euskirchen, sworn cleric of Cologne, was present, together with the named witnesses, for each and every item of the foregoing as they were being done and performed in the manner mentioned above, seeing them be done in this way, and heard of them from the report of the beadle as is stated above, I have by my own hand written and formally drawn up the present public document, and then completed, signed and published it, rendering it in the public format, and sealing it with my customary and usual seal and name, as asked and requested to do, in confirmation and witness to each and every item among the foregoing.

[37] I.e., the administrative apparatus of the archbishop.
[38] Christian Wintzen.

THEREFORE, REGARDING THE BULL very recently issued by 3A
Innocent VIII against the Heresy of Sorceresses, forty-eight[39] questions are to be discussed. These are to explain three things in particular: first, the origin, second, the development, third, the final cure; the origin in terms of their increase in number; the development in terms of their carrying out works; and the final cure in terms of wiping out this heresy. Part One is about the three elements that co-operate to bring about sorcery, namely, the demon, the sorcerer and the permission of God.[40] It contains eighteen questions, of which four are about the power of the demon, the rest about their[41] works. Question One[42] is also an introduction to the entire work: whether the claim that sorceresses exist is considered so Catholic a proposition that it is altogether heretical to defend the opposite steadfastly. Question Two[43] is whether it is a Catholic proposition to claim that a demon always has to co-operate with a sorcerer to bring about the effects of sorcery or that the one is able to bring about such an effect without the assistance of the other. Question Three[44] is whether it is a Catholic proposition to claim | that 3B
incubus and succubus demons can produce such effects that real people are in fact begotten by these demons in order to create new sorcerers and increase their numbers. Question Four[45] is whether it is a Catholic proposition to claim that the action of incubus and succubus demons is appropriate only for the lowest spirits. Question Five[46] is whether a Catholic can in any way hold the view that the origin and increase in number of sorcerers' works results from the influences of heavenly bodies without the assistance of demons or from separate substances[47] such as the movers of the heavenly orbs or from the evil of humans when some virtue of the stars co-operates upon the utterance of expressions and words. Question Six[48] pertains to sorcerers co-operating with demons: how it is that women are found to be tainted with this heresy more often than men are. What sort of women are involved more than others is

[39] The subsequent description of the contents lists (inaccurately, as the second half of Bk. 2 is ignored) seventy-one questions; the reason for the miscount here is not clear.
[40] See 20B.
[41] I.e. sorceresses.
[42] 7A–13D.
[43] 13D–20B.
[44] 21B–26D.
[45] 27A–29D.
[46] 30A–39C.
[47] A term of scholastic philosophy indicating substances that are separate from physical matter, e.g., angels.
[48] 39D–45A.

explained in the following five questions.[49] Question Seven[50] is whether sorceresses are able, through the virtue of demons, to turn the minds of humans to irregular hatred or love, and about the way to propound
3C this topic in sermons to the congregation. Question Eight[51] is whether | they are able to impede the power of procreation (the sexual act), with a certain incidental question as to why this act is sometimes impeded with respect to one person and not another. Question Nine[52] is whether they take away male members through a magical illusion as if these members have been torn from the body, with certain other related difficulties. Question Ten[53] is whether they are able to change humans into the shapes of animals, with another incidental difficulty. Question Eleven[54] is about midwife sorceresses, who kill fetuses in the womb and outside in various ways. Question Twelve[55] pertains to the permission of God, which has to co-operate with the demon and the sorceress: whether it is so Catholic a proposition to commend divine permission in connection with the deeds of sorceresses, that the opposite position, that is, the rejection of the permission of God, is altogether heretical. Question Thirteen[56] is also incidental and concerns the two sorts of God's permission – in the fall of the Devil and of the First Ancestors – on the basis of which all acts of sorcerers are justly permitted. Question Fourteen is whether, despite the foregoing, the sins of sorcerers are more serious than those
3D of the evil angels and of the First Ancestors.[57] | (The whole topic may be preached, with the explanation that they deserve, more than any other malefactors in the world, the most severe penalties in the present life too.)[58] Question Fifteen[59] is whether the innocent are often affected with sorcery because of the sins of sorcerers. Question Sixteen[60] is whether the Heresy of Sorceresses surpasses all other varieties of superstition. Question Seventeen[61] is explanatory of Question Fourteen, comparing the severity of the crime in the case of sorcerers with any sins of the

[49] This is an introductory passage (45B–46A).
[50] 46A–52B.
[51] 52C–55D.
[52] 56A–59B.
[53] 59B–63C.
[54] 63C–64B.
[55] 64C–68C.
[56] 68C–71A.
[57] 71A–75B. The rebuttals to the initial arguments of these questions appear at the end (81A–C) of the explanatory Q. 17.
[58] This topic is discussed 74C–75B.
[59] 75B–77D.
[60] 77D–80A.
[61] 80B–81A.

demons. Question Eighteen[62] is against the five arguments of laymen that God does not grant such power to the Devil and to sorcerers (in this topic the end is attached to the beginning in that this last question is connected to the first).

Part Two of the work contains sixteen chapters[63] under the rubric of two questions, one[64] of which is placed at the beginning and the other[65] at the end, the former concerning preventive cures and the latter cures that break spells of sorcery. The intervening chapters treat the sorcerers' procedure in inflicting spells of sorcery. The first[66] question is whether someone can receive such benefit through good angels | that 4A
he cannot be affected by the sorcery of sorcerers and demons. Chapter One[67] is about the various methods by which demons entice innocent and respectable girls through sorceresses in order to increase this breach of the Faith. Chapter Two[68] is about the method of their sacrilegious avowal, with an explanation of the giving of homage to the Devil. Chapter Three[69] is about the method by which they are bodily transferred from one place to another. Chapter Four[70] is about the method by which they subordinate themselves to incubus demons. In this chapter, there is also a treatment of how their numbers are increased as a result of them[71] and whether it is always with an emission of seed that the incubus accosts the sorceress,[72] and whether at one time rather than another, and likewise about the location,[73] and whether they visibly carry out these filthy acts,[74] with greater or lesser sexual enjoyment, and whether incubi accost only women begotten of the filthy acts of sorceresses.[75] Chapter Five[76] is about the general method by which they perform their acts of sorcery through the Sacraments of the Church, and about the six methods by

[62] 81D–85C.
[63] This refers only to the chapters of Q. 1. It was apparently forgotten to include those of Q. 2.
[64] 86B–152A.
[65] 152A–184A.
[66] I.e., an unnumbered introductory question (86B–92D).
[67] 92D–98B.
[68] 98C–100D.
[69] 101A–105C.
[70] 105D–111C.
[71] 108A–109C. Comparison with the relevant heading in the text (108A) suggests that "them" refers to "carnal acts" with demons, a phrase omitted here.
[72] 109C–D.
[73] Time and place are discussed together in 110A–110D.
[74] 110D–111A.
[75] The issues of whether demons accost the daughters of sorceresses and of their sexual pleasure are discussed together in 111B–C.
[76] 111C–114A.

which they are able to use natural virtue to inflict real illnesses, though not real cures, on all bodily creations with the exception of the heavenly
4B bodies. | Chapter Six[77] is about the method by which they impede the power of procreation. Chapter Seven[78] is about the method by which they remove male members (the statements made in Part One about their ability to do so are now explained through their ways of working, and hence the material is not the same in each section). Chapter Eight[79] is about the methods by which they change humans into the shapes of animals. Chapter Nine[80] is about the method by which demons exist without harm inside bodies when they work magical transformations. Chapter Ten[81] is about the method by which demons inhabit humans physically through the workings of sorceresses. Chapter Eleven[82] is about the method by which they can inflict every sort of illness. This is a general treatment, and in the following Chapter Twelve[83] there is a specific
4C treatment of the method | by which they inflict more serious illnesses. Chapter Thirteen[84] is about the method by which sorceress midwives inflict harm more than all the others, by either killing babies or offering them to the Devil. Chapter Fourteen[85] is about the method by which they inflict various forms of harm on domestic animals. Chapter Fifteen[86] is about the method by which they cause hail or rainstorms or make lightning. Chapter Sixteen[87] is about the three methods by which men are found to be tainted with acts of sorcery and not women: first, archer sorcerers;[88] second, enchanters who know how to use sacrilegious chants (words) to affect offensive weapons with sorcery in defense against any sort of injury; and third those who use written handbooks to do so.[89]

[77] 114A–115B.
[78] 115B–118D.
[79] 118D–121A.
[80] 121A–125C.
[81] 125C–130D.
[82] 130D–134A.
[83] 134B–137A.
[84] 137A–141D.
[85] 141D–144C.
[86] 144C–147A.
[87] 147A–152A.
[88] 147A–150D.
[89] The second and third groups are discussed together in 151A–C. The heading of the chapter (147A) indicates that it consists of three chapters, and two introductory passages (86B and 91C) speak of Chapters Seventeen and Eighteen, which must represent the second and third topics here, but these are not distinguished as separate chapters here.

Concerning cures that break spells of sorcery, which is Section Two[90] of Part Two, the first question[91] raised is whether it is permissible to break spells of sorcery through other spells or through unlawful methods, and it has nine chapters. Chapter One[92] is about the Church's remedy against incubus and succubus demons. Chapter Two[93] is about the remedy for the power of procreation when it has been affected by sorcery. Chapter Three[94] is about the remedies for those affected by sorcery with reference to irregular hatred or love. Chapter Four[95] is about remedies when male members | are taken away through the magical art 4D
and when humans are turned into the shapes of animals. Chapter Five[96] is about remedies for those possessed as a result of sorcery. Chapter Six[97] is about remedies for any illnesses inflicted by sorcerers (through lawful exorcisms). Chapter Seven[98] is about remedies for hail storms and lightning, and also about domestic animals affected by sorcery. Chapter Eight[99] is about certain hidden remedies for certain hidden harassments on the part of demons. Chapter Nine[100] is about remedies for those who have completely devoted themselves to the demons for the sake of some temporal advantage.

Part Three of the work concerns the final remedies not so much against the sorceresses' works as against their persons in terms of exterminating them and contains three sections: the method of beginning the proceedings leading to judgment,[101] the method of continuing it,[102] and the method of passing sentence, punishing and executing.[103] Section One contains five questions, Section Two twelve[104] and | Section 5A
Three twenty.[105] There is also a first question[106] that is introductory to all

[90] 152A-184A.
[91] Unnumbered introductory question (152A–158D).
[92] 158D–161D.
[93] 161D-164A.
[94] 164A–166A.
[95] 166A–167C.
[96] 167C–170C.
[97] 170D–179A.
[98] 179B–182B.
[99] 182B–184A.
[100] 184A. (The question is not overtly marked as a separate question in the text, though it seems to be treated as such.)
[101] 194C–199A.
[102] 199B–217D.
[103] 217D–258B.
[104] This was the number originally intended, but the eighth question was dropped, and as it stands, this section has eleven questions.
[105] Not an accurate count; see Pt. III n. 101.
[106] This introductory question is not numbered (184B–193D).

the others that follow: whether sorceresses and those who help, harbor and defend them are subject to both ecclesiastical and civil judgment, so that the Inquisitors of Heretical Depravity can be relieved of conducting the inquisition into them, and next the manner of beginning the proceedings.[107] Question One[108] is what is the suitable manner for the judge to start the proceedings involving the Faith against the sorceresses. Question Two[109] is about the number of witnesses. Question Three[110] is how often they can be examined. Question Four[111] is about the status of the witnesses. Question Five[112] is whether mortal enemies are allowed to give testimony. Question Six[113] concerns Section Two, namely, how such proceedings should be continued: first,[114] how the witnesses are to be summoned and questioned; second,[115] how a list of general questions is to be laid out before the sorceresses as Step One; third,[116] how a list of specific questions is to be laid out. In Question Seven,[117] various uncertainties about the negative responses of sorcer-
5B esses are explained as well as when | she can be imprisoned, and when she is to be considered as someone caught in the Heresy of Sorceresses (this is Step Two). Question Eight[118] is how she should be arrested and imprisoned (this will be Step Three). Question Nine[119] is whether the names of those who give depositions are to be revealed to her after her arrest (Step Four). Question Ten:[120] how forms of defense are to be granted with the assignment of an advocate (Step Five). Question Eleven:[121] what the advocate will do when the names of the witnesses are not revealed (Step Six). Question Twelve[122] is more explanatory: how mortal enmity between the accused woman and the witnesses is to be investigated (this is Step Seven for the judge). Question Thirteen is what the judge will do when the denounced person wishes to reject him as

[107] An introductory passage in 193D–194B is not noted.
[108] 194C–196D.
[109] 196D–197C.
[110] 197C–198A.
[111] 198A–C.
[112] 198C–199A.
[113] 199B–201D.
[114] 199C–200D.
[115] 200D–201B.
[116] 201B–D.
[117] 202A–D.
[118] 203A–204A.
[119] 204A–205B.
[120] 205B–206B.
[121] 206B–208A.
[122] 208A–209D.

judge (Step Eight).[123] Question Fourteen[124] is about the things that the judge has to consider before the place of prison and torture, and how he should not readily expose a sorceress to torture because of the sorcery of silence (Step Nine). Question Fifteen[125] is about the method of sentencing the denounced woman to questioning under torture and how she should be questioned on the first day. | Question Sixteen[126] is how 5C
the questioning under torture is to be continued, and about the signs by which a sorceress is recognized, and how they are to be shaved, and about various stratagems for the sorcery of silence (this is Step Eleven for the judge). Question Seventeen[127] is about the time and the second method[128] of questioning and about the final stratagems to be practiced by the judge.

Regarding the twenty methods of passing judgment,[129] the first[130] question is whether they can be sentenced to the examination and trial by glowing iron when they appeal to it. The second question[131] is about the general procedures that the judge ought to follow concerning both interlocutory and definitive sentences. The third[132] question: the number of ways in which the judge can consider a denounced person suspected, and the suspicions on the basis of which he can pass sentence. The fourth[133] question: how sentence is to be passed on a person who has been denounced but is completely innocent.The fifth[134] question: how it is to be passed on a denounced person who | has a bad public 5D
reputation. Sixth, how it is to be passed on a denounced person who has a bad reputation but is also in some way liable to being exposed to questioning under torture.[135] Seventh:[136] how it is to be passed on someone lightly suspected of that heresy. Eighth:[137] how it is to be passed

[123] Though the original intent to include a chapter on this subject is indicated here, at a later stage it was removed. This has led to misnumbering of the subsequent questions and steps.
[124] 210A–211B.
[125] 211B–213A.
[126] 213A–216A (Q. 15, Step 11 in the text).
[127] 216A–217D (Q. 16, Step 12 in the text).
[128] Seemingly, this is a peculiar way of saying "method of questioning on the second day."
[129] An introductory passage (217D–218A) is not noted here. For the method by which the number of methods is reckoned as twenty, see Pt. III, n. 101.
[130] Q. 17 (218A–219D).
[131] Q. 18 (219D–220D).
[132] 221A–224D.
[133] Method 1 in Q. 20 (225A–D). (The introductory passage (224D–225A) is not noted here.)
[134] Method 2 in Q. 21 (225D–227B).
[135] Method 3 in Q. 22 (227B–228D).
[136] Method 4 in Q. 23 (228D–230A).
[137] Method 5 in Q. 24 (230A–231D).

on someone vehemently suspected. The ninth[138] question: how it is to be passed on someone violently suspected. The tenth[139] question: how it is to be passed on someone who has a bad public reputation and is likewise suspected. The eleventh[140] question: how it is to be passed on someone who has confessed heresy but has not relapsed and is repentant. The twelfth[141] question: how it is to be passed on someone who has confessed heresy and is repentant but has probably relapsed. The thirteenth[142] question: how it is to be passed on someone who has confessed and is unrepentant but has not in fact relapsed. The fourteenth[143] question: how it is to be passed on someone who has confessed heresy and is unrepentant and has certainly relapsed. The fifteenth[144] question: how it is to be passed on someone who has not confessed but is convicted of heresy by legal witnesses and other means in court. The sixteenth[145] question: how it is to be passed on someone who is convicted but is a fugitive or contumaciously refuses to appear in court. The seventeenth[146]
6A question:|how it is to be passed on someone who has been denounced by another sorceress in prison but who has not confessed. The eighteenth[147] question: how it is to be passed on someone accused not of inflicting but of breaking spells of sorcery. The nineteenth[148] question: how it is to be passed on archer sorcerers, enchanters of weapons and any nigromancers. The twentieth question[149]: how it is to be passed on midwife sorceresses, who surpass all others in acts of sorcery. The conclusion concerns the remedy of appeal, describing what the judge, whether ecclesiastical or civil, should do when any denounced woman takes refuge in that remedy.[150]

[138] Method 6 in Q. 25 (232A–234C).
[139] Method 7 in Q. 26 (234C–236B).
[140] Method 8 in Q. 27 (236B–238A).
[141] Method 9 in Q. 28 (238A–240C).
[142] Method 10 in Q. 29 (240C–241C).
[143] Method 11 in Q. 30 (241C–242C).
[144] Method 12 in Q. 31 (242D–245A).
[145] Method 13 in Q. 32 (245B–248B).
[146] Method 14 in Q. 33 (248B–251B).
[147] Method 15 in Q. 34 (251B–252C).
[148] Treated as an incidental topic in Q. 34 (252D, 254B). Associated with this topic is a treatment of aiders and abettors, but no notice is taken of this here (or in the specific table of contents in 225A). Midwives (the subject of the next question) actually appear first; for a possible explanation of this inverse order, see Pt. III, n. 529.
[149] Treated as an incidental topic in Q. 34 (252C, 254B–C).
[150] Q. 35 (255A–258C); though given as the last method in 225A, there is no numeration in the text.

# PART I

QUESTION ONE

[TT] WHETHER CLAIMING THAT SORCERERS exist is such a 7A
Catholic proposition that to defend the opposite view steadfastly is altogether heretical.

[AG 1] And it is proven that it is not a Catholic proposition to claim any of these things: "Whoever believes that any creature can be created or changed for the better or worse or transformed into some shape or appearance in any way other than by the Creator of all things Himself is worse than a pagan or infidel" (26, Q. 5 "*Episcopi*"). When it is stated that such things are done by sorcerers, to make such claims is not a Catholic but a heretical proposition.

[AG 2] Also, sorcery has no effect in the world. This is demonstrated on the grounds that if it did, it would happen through the operation of demons, but to claim that demons are able to impede or bring about bodily changes seems not to be a Catholic proposition, because in that case they would be able to destroy the entire world.

[AG 3] Also, every bodily change, for instance the causing of illnesses or the restoration of health, is ascribed to a movement in location. This is clear from [Aristotle] *Physics*, Bk. 7 [actually 8.7] ("of which | the first is 7B
the motion of Heaven"). But demons cannot vary the motion of Heaven, because this is an act of God alone (Dionysius in his *Letter to Polycarp* [7.2]). Thus, it seems that in connection with bodies they cannot bring about any change, at least not a real one, and that it is necessary to ascribe changes of this kind to some hidden cause.

[AG 4] Also, God's creation is stronger than the Devil's in the same way that His work is stronger than the Devil's. But if sorcery existed in the world, the work of the Devil would certainly be contrary to the creation of God. Therefore, it is unlawful to believe that the creations and works of God in connection with humans and domestic animals can be rendered faulty as a result of the works of the Devil, just as it is unlawful to claim that the superstitious creation of the Devil can surpass the work of God.

[AG 5] Also, what is subject to physical virtue has no virtue to influence bodies. Demons are subordinate to the virtues of the stars, as is clear from the fact that certain enchanters observe the constellations in order to invoke demons. Therefore, they do not have the virtue of having some influence on bodies, and all the less do sorceresses.

[AG 6] Likewise, | demons operate only through an art. But an art 7C
cannot render a true form. For this reason, it says in Chapter "Minerals"

[Albert, *Five Books on Minerals* 3.1.9], "Let the proponents of alchemy know that forms cannot be changed." Therefore, when demons operate by art, they cannot in fact cause true states of health or illness. Instead, if such states are real, they have some other, hidden cause without the work of demons and sorcerers.

[SC 1] But to the contrary in 33, Q. 1 [*Si per sortiarias*] ("If sometimes through sorcerers' and magicians' arts and by permission of the secret and just judgment of God and by the preparation of the Devil . . . ") it says that three things co-operate in the impediment caused by sorcerers in connection with conjugal acts: the sorceress, the Devil and the permission of God.

[SC 2] Also, the stronger thing can act on the less strong, and the virtue of the demon is stronger than a bodily virtue: "There is no power over the earth that can be compared to him who was created to fear no one" (Job 40 [actually, 41:24]).

[CO] Response. Here three heretical errors must be attacked, and once they have been refuted, the truth will be clear. According to the teaching of St. Thomas in *Commentary on Pronouncements*, Bk. 4, Dist.
7D 34 [*Sent.* 4.34.1.3.Co.], |where he treats the impediment caused by sorcery, certain people have tried to claim that there is no sorcery in the world except in the opinion of humans, who ascribe to sorcerers natural effects whose causes are unknown. There are others who grant the existence of sorcerers but claim that it is only in their imagination and fantasy that they co-operate in bringing about effects of sorcery. The third are those who say that the effects of sorcery are purely fantastical and imaginary, though a demon does in fact co-operate with the sorceress. The errors of these groups are explained and refuted as follows.

The first are censured completely for heresy by the Doctors in the *Commentary on Pronouncements*, Bk. 4 in the distinction cited above, especially by St. Thomas. In the "Response" section in Art. 3 [*Sent.* 4.34.1.3.Co.], he says that this opinion is completely contrary to the authorities of the Saints and is rooted in lack of faith. His reasoning is that since the authority of the Holy Scripture says that demons have power over bodily objects and over the imagination of humans when they are allowed to by God, as is known from many passages of Holy Scripture, those who say that there is no sorcery in the world except
8A in the opinion of humans likewise | believe that demons exist only in the opinion of the common people. Consequently, a person attributes to the demon the terrors that he creates for himself, the sorts of figures that the human imagines appear in the perception from the vividness of

the imagination, and in that case he believes that he sees demons (let us say that this applies to sorcerers too). Since these ideas are rejected by the True Faith, by which we believe that angels fell from Heaven and that demons exist, we also avow that as a result of the subtlety of their nature, they have many powers that we do not. Those who induce them to do such things are called sorcerers. Thus Aquinas. Because lack of faith in someone who has been baptized is called heresy, such people are censured for heresy.

The two other errors do not deny the existence of demons and their power but contradict each other regarding the effectiveness of sorcery and the sorceress herself. While one grants that sorceresses really do work together with the demon to achieve the result, though this result is not real but fantastic, the other grants the real effect in the person harmed but thinks that the sorceress | only imagines that she works with 8B
the demon. They derive the basis of this error from two passages of the Canon that are contained in 26, Q. 5, "*Episcopi.*" First, women who believe that they ride on horseback with Diana or Herodias[151] during the night-time hours are censured (examine the Canon in that passage), and adherents of the error think that because it is stated that such things happen only fantastically in the imagination, this is the case with all other effects. Second, it is stated in the Canon that whoever believes or claims that some creature can be made or changed for the better or worse or turned into a different form or appearance in any way other than by God, the Creator of all things, is an infidel and worse than a pagan, and on the basis of the phrase ". . . changed for the worse . . . ," they say that this effect is not real in terms of the person affected by sorcery and is only imaginary.

That these errors smack of heresy and contradict the healthy understanding of the Canon is shown both by divine and by ecclesiastical and civil law, first in general terms and then specifically through citation of the words of the Canon (this will be demonstrated more clearly in the following question).

[151] The canon *Episcopi* purports to be a ruling of a Council of Ancyra (modern Ankara) held in the early fourth century, but it is first attested in the early tenth century (and presumably was drawn up in the Carolingian period). It rejects the notion held by certain women that they cavorted on the backs of beasts during the night with the pagan goddess Diana or Herodias (the Biblical figure), traversing great distances. The canon asserts that no such thing happens, and that the experience is really a delusion induced by the Devil. The ideas attacked in the canon are actually folk superstitions, but the apparent denial of nocturnal travels in this authoritative text posed a problem for adherents of the elaborated theory of sorcery, which presupposed nocturnal flights for the purpose of attending meetings presided over by Satan. There are several attempts in the *Malleus* to argue around this text.

8C In many | passages, divine law prescribes that sorceresses should be not only shunned but killed. It would not impose penalties of this kind, if they did not actually co-operate with devils in bringing about real effects and injuries. For the death of the body is inflicted only in the case of serious bodily sin, though the case is different with the death of the soul, which can result from an illusion of the fantasy or from temptation. This is the opinion of St. Thomas in *Commentary on Pronouncements*, Bk. 2, Dist. 7 [*Sent.* 2.7.3.2] in the question as to whether it is evil to make use of the assistance of demons. For in Deuteronomy 18[:11–12] it is ordered that all sorcerers and enchanters are to be killed.[152] Leviticus 19 [actually, 20:6] also says, "As for the soul that resorts to magicians and soothsayers and fornicates with them, I will set My face against that soul and kill it[153] from the midst of My people." Also, Ch. 20[:27] says, "Whether man or woman, let those in whom there is a pythonic or divine spirit[154] die. They will cover them with stones."[155] (Those in connection with whom the demon works wondrous results are called "pythons.")[156]

Also, these things exist,[157] because Ochozias became sick and died on account of such an agreement (2 Kings 1[:16–17]), as did Saul (1 Chronicles 10[:13]).

8D As for those who treat Scripture, | what else have they handed down about the power of demons and their magic arts in their writings on *Commentary on Pronouncements*, Bk. 2, Dists. 7 and 8? Let the writings of any Doctor be examined and the reader will find with no disagreement that with God's permission magicians and sorcerers are able to produce wondrous and not imaginary results through the virtue of demons. I pass over many other passages in which St. Thomas treats broadly of such works, as in *Summa Against the Gentiles* Bk. 3, Chs. 101 and 102 [1.101, 102], *Part One*, Q. 114, Art. 4, and *Second of Second*, Qs. 92 and 93. Next, let the postillators[158] and glossators[159] on the magicians of Pharaoh (Exodus 7) be examined, and also the words of Augustine in Bk.18 of *City of God*, Ch. 17 and *The Christian Doctrine*, Bk.2 [2.20–24], and similarly the words of the other Doctors. It is quite absurd to contradict all these

[152] Actually, verse 11 contains a prohibition against magical practices, and verse 12 indicates that God himself will destroy such people as abominations.
[153] The gender of the Latin word for "soul" makes it possible to interpret this as "her."
[154] The Vulgate has "spirit of divination."
[155] I.e., stone them to death.
[156] For "pythons," see 10C, 78B–C and 79D, and n. 553.
[157] This seemingly meaningless phrase is part of an adaptation of the original passage (from Nider) in order to make it fit the format of the disputed question.
[158] Composers of summary explanations of the Bible.
[159] Composers of Biblical explanations keyed against individual words.

men, and doing so cannot be absolved of the fault of heresy. Rather, in law whoever errs in the explanation of Holy Scripture is considered a heretic (24, Q. 1, Chapter "*Heresis*"), as is anyone whose opinion about matters of the Faith differs from the teaching of the Roman Church (same cause and question, Chapter "*Haec est fides*").

Next, | ecclesiastical law shows that they contradict the healthy under- 9A
standing of the Canon. When the Doctors of Canon Law deal with the impediment caused by sorcery in connection with conjugal acts in Chapter "*Si per sortiarias et maleficas artes*" (33, Q. 1) and in the Title "*Frigid People and those Affected with Sorcery*" in the *Liber Extra* [4.15], what else do they purport to do but explain how it severs a marriage that has been or is to be entered into? Like Thomas in the *Commentary on Pronouncements* (citation as above [*Sent.* 4.34.1.3.Ra3]), they say that if sorcery befalls the marriage before carnal union, then if it is permanent, it impedes and severs a marriage already entered into, and such a pronouncement would not be given about an illusionary and imaginary effect, as is self-evident. Look at Hostiensis in the *Copious Summa* [4.15.9], and also Geoffrey [*Summa on the Titles of Decretals* 4.15] and Raymund [*Summa* 4.16]. One cannot read in any passage of their works that they raised any difficulty as to whether such an effect can be considered imaginary and not real. Instead, they take this to be self-evident, and explain how the effect could be considered permanent or temporary (if it lasts beyond three years). Nor do they have any doubt as to whether it is introduced by the sorceress through the imagination or an illusion. Instead, they say that such a defect can be really and truly caused | by 9B
the virtue of a demon on account of an agreement entered into with him, or by the demon himself without a sorceress. Though the latter happens very rarely in the Church since it has the meritorious Sacrament of Matrimony, they say that this happens among the infidels, since the demon perceives that he has a just title to them. For instance, in his *Commentary on Pronouncements*, Bk. 4 [*Sent.* 4.34.2.3], Peter de Palude tells a story about a man who betrothed himself to an idol and nonetheless contracted a marriage with a certain young woman. He was unable to know[160] her because of the Devil, who always interposed himself in an assumed body. In the Church the Devil nonetheless tries to introduce such effects through sorceresses for the purpose of securing the damnation of souls, and there will be explanation below of how he can do this and by what means. In that section, there will also be a treatment of the

[160] I.e., carnally.

seven ways of harming humans through similar effects.[161] This fact is also made clear in other questions that theologians and canonists raise about this topic, when they discuss how the spell of sorcery can be broken and whether it is lawful to break it through another spell of sorcery
9C and what to do if | the sorceress by whom the sorcery was inflicted is dead (this situation is mentioned by Geoffrey in his *Summa*).[162] There will be an explanation of these matters in the questions of Part Three.[163]

Why ever would the canonists have promulgated various penalties with such care, distinguishing between the secret and the manifest sin of sorcerers (or rather diviners)? For this criminal suspicion has various varieties, so that if the sin is notorious, the Eucharist is denied; if it is secret, forty days' penance is imposed ("Consecration," Dist. 2, "*Pro dilectione*");[164] if the criminal is a cleric, he should be deposed and confined to a monastery[165] (26, Q. 5, "*Non oportet*"); and such people should be considered to have a bad reputation,[166] as should those who resort to them, and in fact they should not even be allowed to lodge an accusation (2, Q. 7, "*Quisquis nec*").

The civil law adopts the same attitude. For Azo in the *Summa* [on *Code of Justinian* 9.16] says after the Cornelian Law on assassins and murderers in Bk. 9 of the *Code* under the rubric "Sorcerers":[167] "Be it known that all those whom the common people call sorcerers and also those who know the art of divining suffer capital punishment, as in the Law '*Nemo*,' (Chapter of the *Code* 'Sorcerers' [*Code of Justinian* 9.18.5]). The Laws '*Culpa*' and '*Nullus*' [*Code of Justinian* 9.18.8, 3] likewise impose
9D this penalty. | For these laws use the following words: 'No one is allowed to practice divination; otherwise he shall be thrown down and suffer execution through the vengeance of the sword.' "[168] He adds: "There are also others who prey on the lives of the innocent through the magical

[161] For these seven methods, see 45B–C and n. 333.
[162] Passage unknown.
[163] Actually, Pt. II, Q. 2 (152B–184A).
[164] The chapter cited does impose excommunication for a known *magus* but the distinction of notoriety versus concealment of the crime is not there. The preceding chapter does prescribe forty days' penance – for someone whose carelessness results in a mouse eating the host!
[165] Actually, the canon cited merely decrees their expulsion from the church.
[166] The term translated here as "bad reputation" usually has this sense in the *Malleus*, but here it is a technical term from Roman civil law that refers to someone whose "ill-repute" debars him from taking advantage of various legal procedures.
[167] The term translated here as "sorcerers" also signifies "evil doers," but since this word is the invariable designation of sorcerers in the *Malleus*, it is hard to imagine the reader taking it in its broader sense.
[168] This last phrase is actually stitched together from words in 9.18.5 and 6.

art and turn the minds of women to lust, and these people are exposed to the beasts, as is stated in the Law '*Multi*' (same Chapter of the *Code*) [*Code of Justinian* 9.18.6]." The laws also decree that anyone is allowed to bring an accusation against them, as does the Canon in Chapter "*In fidei favorem*" (*Liber Sextus*). Then, the following is added in the same passage: "Anyone is allowed to lodge this accusation as if in a case of treason [*lèse majesté*]). For they virtually strike at God's majesty." It is also stated that they are subject to questioning under torture: "And regardless of status everyone is subject to questioning under torture, and whoever is convicted, even if he reveals his own crime, is to be handed over to the rack and is to endure penalties worthy of his crime when claws lacerate his sides, as in the *Code* in the law "*Si ex*" [*Code of Justinian* 9.18.7]" and so on. Note that in the past | such people were punished with two sorts 10A of execution, either the application of claws to tear their bodies apart or exposure to the beasts so that they would be eaten alive. Now, however, they are burned alive, perhaps because of their being female.

Also, the laws prohibit taking part in such acts. For this reason, it adds: "Also no one should allow such people to approach their threshold; otherwise their property is burned up. No one should receive or consult them, otherwise they are exiled to an island and all their property is confiscated."[169] At this point note is made of the penalty of exile with loss of all property for those who consult or receive such people. When preachers make these penalties known to the nations and the rulers of the world, they are set ablaze with anger against the sorceresses more than they would be from the citation of other passages from Scripture.

Also, the laws commend those who obstruct their acts of sorcery. This is why the law "*Eorum*" (cited above) says: "Others who bring it about that the toils of humans are not crushed by the winds or hail are worthy not of a penalty but of a reward."[170] (In what way it is lawful to impede such acts will be explained below, as was mentioned previously.)[171] | 10B Every individual should decide how denying these facts or frivolously contradicting them can fail to raise a suspicion of heretical depravity, unless perchance ignorance excuses the culprit. (What sort of ignorance provides an excuse will be explained immediately below.)[172]

[169] This is a paraphrase of *Code of Justinian* 9.18.3.
[170] This is actually a conflation of a paraphrase of "*Eorum*" (*Code of Justinian*, 9.18.4) with the end of 9.18.3.
[171] See Pt. III, Q. 2, Ch. 7 (179B–182C).
[172] 12C–13A.

The conclusion reached on the basis of all the foregoing is that it is a very true and Catholic proposition to claim the existence of sorcerers who, with the assistance of demons on account of an agreement entered into with them, can cause real effects of sorcery with the permission of God. The possibility that they can also create effects of conjuring and fantasy through means of conjuring is not excluded, but because the present investigation concerns the effects of sorcery, which are quite different from those other ones, this has nothing to do with the question at hand, such people being called fortune-tellers or enchanters rather than sorcerers.

Next, because the foundation for two errors in particular is based on the words of the Canon, (leaving aside the first, which condemns itself through excessive deviation from the Truth of Scripture), it is necessary to proceed to a healthy understanding of the Canon, first of all attacking
10C | the first of the two errors, which is the error of those people who say that the means are imaginary but the first and last elements real.[173] Here it is to be noted that while there are fourteen main varieties within the category of superstition, for the sake of brevity it would not be appropriate to list them, both because they are clearly listed by Isidore in *Etymologies* Bk. 8 [8.5] and by St. Thomas in *Second of the Second*. Q. 92 [actually, *Summa* 2/2.95.3.Co.], and because there will also be mention of them below, where the seriousness of this heresy will be treated (in the last question here in Part One).[174] While the variety in which such women are placed is called the variety of "pythons" (these are people in whom a demon either speaks or performs wondrous works, and this variety is quite often listed first),[175] the variety in which sorcerers are categorized is called the variety of sorcerers. Because they greatly differ from one another, and it is not appropriate that someone who functions under one variety should be encompassed under the others too, therefore since the Canon mentions those women and not the sorceresses, it is a false interpretation of the Canon when they wish to ascribe such imaginary transportations of bodies to the entire category of superstition and to all its varieties, so
10D that | all sorceresses are transported only in the imagination in the way that those women are. The Canon is further falsified by anyone who would wish to argue on the basis of it that it is only in the imagination

[173] Here there is something of a play on words in the Latin, the word for "means" literally signifying "things in the middle."

[174] Presumably, Q. 16 (77D–80A).

[175] For "pythons," see 8C, 78B–C and 79D, and n. 553.

that a sorceress co-operates in using sorcery to bring about an effect consisting of sickness or disease.

Also, those who err in this way are further censured when they concede the reality of the beginning and end, that is, the working of the demon and the real effect consisting of the disease, but say that the instrumental medium, that is, the person of the sorceress, co-operates in fantasy, though the medium takes part in a way surpassing the nature of the beginning and end. Nor is it valid to say that the fantasy is in fact something real, since the fantasy is such that the person can produce an effect or co-operate in the working of a demon only through an agreement entered into with the demon. In this agreement, the sorceress has offered and bound her entire self to the Devil – really and truly and not merely in the fantasy and imagination. Thus, it is in fact appropriate that she should really and bodily work with the Devil. For this is the purpose of all the works of sorcerers, in which it is always by his working that they carry out acts of sorcery through touch or vision or speech or some other device of sorcery placed under the threshold of the house, in the way that will be explained in the following question.

Also, if someone | carefully examines the words of the Canon, he will 11A
observe four things that preachers and priests ought to preach with all urgency to the congregation in the churches entrusted to them. First, no one should consider that there is any godhead or divinity apart from the One God. Second, to ride on horseback with Diana and Herodias is to roam with the Devil, who gives himself this form and name. Third, on such an occasion this riding takes place in the fantasy, since the Devil's control of a mind subordinated to him through lack of faith is such that those things that take place through the spirit alone are believed to be happening bodily. Fourth, they have to obey this lord in all matters. Hence, it is absurd to extend these words to all acts of sorcery, since there are different varieties.

The question as to whether sorcerers are transported in location in their own variety of superstition or merely in the imagination like pythons will be treated in the chapters of the Part Two[176] (Chapter Three stating that both are true).[177]

In this way, the second error is demolished along with the first in terms of its foundation and the healthy understanding of the Canon. In addition, the third error, which claims on the basis of the words of the Canon that the effect | of sorcery is one of fantasy, is also demolished 11B

[176] Pt. II, Q. 1 is meant.
[177] 101A–105C; see also 97A–B.

on the basis of the words of the Canon. For when it says, "Whoever believes that some creature can be created or changed for the better or worse or turned into another shape or likeness in any way other than by the Creator of all things . . . is worse than an infidel," these three clauses are, if understood in simple terms, contrary to the sense of Scripture and the determinations of the Doctors.

The following Canon "*Nec mirum*" (after "*Episcopi*" just cited) should be examined, since it says that some creatures, namely real imperfect animals, can be created by sorcerers. As to the determination made by Augustine [*City of God* 10.8] about the magicians of Pharaoh, who turned rods into snakes, the gloss on Exodus 7[:11] ("Pharaoh called the wise men . . . ") should be examined. So should another gloss (that of Strabus), which says that demons run all over the world because by incantation sorcerers try to use them to create a certain effect, and they collect various seeds and from the use of these seeds various appearances can burst forth. Albert in *Animals*[178] should also be examined, as should St. Thomas in *First Part*, Q. 113, Art. 4. For the sake of brevity their
11C statements are omitted here.| The only thing remaining is that it should be understood that there it is stated that procreation takes place.

As for the second clause (that creatures can be changed for better or worse), "only by God with His authorization" and "as correction" or "as punishment" should be understood. Quite often, however, these acts are carried out through the assistance of demons. Just as the phrases, "The Lord smites and Himself cures," and "I will kill and I will bring to life . . . " [Deut. 32:39] relate to the first clause, the phrase, ". . . an infliction through evil angels" relates to the second, as was discussed above.[179] Finally, in the Canon "*Nec mirum*" cited above, the words of Augustine should be examined with reference to who are sorcerers and of what sort their workings are, when they sometimes inflict not only illnesses but even death on humans.

It is also beneficial to have a healthy understanding of the third clause, since present-day sorcerers are quite often changed through the work of demons into wolves and other beasts. But the Canon is speaking of a real transformation in substance and not about the conjuring kind, which quite often occurs. Augustine [*City of God* 18.18] also has many descriptions about the latter, for instance the very famous magician Circe, the companions of Diomedes, and the father of Praestantius.

[178] Passage unknown.
[179] Actually, the second phrase is only discussed below: 15D, 16D.

There will be an explanation[180] about this topic in the chapters of Part Two,[181] including | whether sorcerers are always present or absent, and 11D
whether the Devil assumes that form or the person himself is seen as such, in Chapters Six and Seven.

Since[182] the second part of the question says that it is heretical to claim steadfastly what is contrary to these positions, it is asked whether such people should be considered as being caught in heretical depravity or only as strongly suspected of heresy. It seems that the former is the case. For in the *Ordinary Gloss* on the word "*Deprehensi*" in the section "*Praesenti*" of Chapter "*Ad abolendam*" (*Liber Extra*, "Heretics": "We nonetheless ordain by the present command that whatever persons are caught in heresy . . . ") Bernard [of Botone, *Commentary on the Decretals of Gregory VII*] explains that someone is considered to be caught in three ways: through the evidence of the deed (for instance, when he publicly preaches heresy); by lawful proof through witnesses; or on the basis of his own confession. Since such people openly preach this or rashly oppose all the positions discussed above by claiming that witches do not exist or that they are completely unable to harm humans, they are categorized under this distinction as being caught in such depravity. To the same effect is | the gloss of Bernard on the phrase "*deprehensi publice*" in the 12A
second Chapter "*Excommunicamus*"; Chapter "*Super quibusdam*" (*Extra*, "Signification of Words") also is to the same purport. The reader should examine that chapter, and he will find the truth.

But to the contrary. This seems excessively harsh both because of the attendant penalty, which is laid out in Section "*Praesenti*" of Chapter "*Ad abolendam*," (there it is prescribed in the case of a cleric that he should be defrocked and turned over as a layman to judgment of the secular power for punishment with fitting penalty), and because of the ignorance and large numbers of those who are perceived to be culpable for such an error. On account of the number being so large, the rigor of justice should be moderated (Dist. 40, "*Ut constituteretur*").

Response. It is our intention to excuse such preachers from the fault of heresy as far as we can rather than accuse them, and as is said in the *Liber Extra* in Section "*Quo circa*" of Chapter "*Literas*": "We order that

[180] 119D–120A.
[181] I.e., Pt. II, Q. 1.
[182] This section represents an intrusion into the main disputed question that has some of the forms of a new disputed question, in that it has an initial erroneous answer and argument and "*sed contra*" and "response" sections, but it lacks a direct refutation of the initial argument. The responses to the arguments of the main quaestion appear in 13A.

since we do not wish a man to be convicted of so serious an accusation on account of mere suspicion, strong though it may be . . . "; here the gloss on the word "*condemnari*" states that proceedings can be instituted against such a man when he is strongly suspect in this way, but
12B he should not | be convicted on this account unless violent suspicion is present. Nonetheless, since we cannot rule out the suspicion (because of their frivolous claims in contradiction of the Truth of the Faith), and since there are three kinds of suspicion (light, heavy and violent; these are mentioned in Chapter "*Accusatus*" and in Chapter "*Cum contumacia*" (*Liber Sextus*, "Heretics") and such suspicion is noted by the Archdeacon and by John of Andrea on the word "*vehemens*"[183] in Chapter "*Accusatus*" and the Canon also speaks of the violent kind (Dist. 34, "*Quorundam*"),[184] it is necessary to ask what sort of suspicion such a preacher is subject to. Indeed, since it is known that those who preach such dogmas commit their errors in different ways – some waver and vacillate through mere ignorance of divine law, while others do so even though they are sufficiently informed, and none are willing to give their full assent – and since an error in the mind does not make a heretic unless accompanied by obstinacy in will, it is also appropriate to say that they are not subject to the suspicion of the crime of heresy in the same way.

12C Because they think | that they can escape through ignorance, let them take some small note of how serious is the sin of those who commit wrong as a result of such ignorance. For though there are many kinds of ignorance, in the case of curates of souls ignorance of whatever sort cannot be called insuperable ignorance (or specific ignorance after the fashion of the philosophers), which is called ignorance of fact by jurists and theologians. Rather, in them it is considered universal ignorance, which is ignorance of divine law, since it is ignorance of those things that someone is legally bound by divine statute to know (Pope Nicholas in Dist. 42 [Actually, *Decretum* 1.43.5]: "We are enjoined to broadcast the heavenly seed. Woe if we do not sow it! Woe if we keep silent!"). For they are obligated to have knowledge of Holy Scripture (Dist. 36 in its entirety; in addition, with regard to enlightening the souls of those put under their control, see in the same distinction Ch. 2 § "*Ecce*" and § "*Si quis vult*,"), though according to Raymundus,[185] Hostiensis,[186] and Thomas [*Sent.*

[183] Should be *vehementem.*
[184] There is such a chapter, but it says nothing of violent suspicion, speaking instead of the bad reputation of a bishop who was said to be unduly fond of hunting and of his own daughter.
[185] Passage unknown.
[186] Passage unknown.

4.24.1.3b.Co.] what he is required to have is not outstanding knowledge but relevant knowledge, that is, knowledge sufficient for carrying out his office. Yet as some consolation for them, they should note that so long as they later compensate for earlier damage with later profit, | this 12D ignorance of the law, while it is sometimes called intended, stupid and indolent, is called intended (that is, voluntary) in two ways. Sometimes it is accompanied by knowledge of the intention, sometimes by ignorance of it. While the first provides no excuse for anyone but rather condemns him (about it the Psalm [35:4] says, "He did not wish to understand how to act well"), the second diminishes the sin in the same way that it diminishes the voluntary aspect, since it occurs when someone is obligated to know something but does not know that he is obligated. This was the case with Paul: "I received mercy because I acted ignorantly in my lack of belief" (1 Tim. 1[:13]).

It is called "intended" indirectly, in that on account of other activities he neglects to learn what he is obligated to and is unwilling to study hard to learn this, which is not a total but a partial excuse. Ambrose says on Rom. 2[:4] ("Or are you unaware that the goodness of God is bringing you to repentance?"), "You sin most seriously if you are most seriously," that is, very dangerously, "ignorant." Therefore, particularly at the present time, let us dispel all ignorance in order to bring succour to the dangers faced by souls and let us always have before our eyes the very harsh judgment that hangs over us in connection with the strict accounting for the talent entrusted to us.[187] This will make sure that | in 13A our case this ignorance is not marked down as stupid and indolent by analogy with the stupid or indolent man who does not even see the things that are right in front of him. For the Chancellor says in the second rule in *Flowers of Moral Rules*,[188] that culpable ignorance of divine law does not apply to the man who does what he has it within him to do. The explanation is that the Holy Spirit is ready to teach such a man directly about the necessities for salvation that exceed his strength.

[RA 1] The solution to the first argument is obvious from a healthy understanding of the Canon.

[RA 2] As for the second argument, Peter of Tarentaise [*Sent.* 4.34] says, "If he were permitted to by God, the Devil would certainly destroy man as a result of the great enmity that impels him against man." The fact that God permits him to do some things and not others redounds

[187] The reference here is a combination of the earlier citation of the Book of Wisdom (cf. n. 11) with the parable of the talent in Matt. 25.

[188] Passage unknown.

to the greater disgrace and displeasure of the Devil, since in all things God uses him contrary to his will to manifest His own glory.

[RA 3] As for the third argument, it is said that any change resulting in illness or some other effect that is caused by sorcery is always preceded by some movement in location, in that the demon uses the sorceress to gather predetermined agents (those that are able to cause harm) and
13B applies them to predetermined subjects | in order to inflict pain or harm or some extremely vile act.

If the question is raised whether this movement of objects at the hands of the Devil should be ascribed to the motion of the heavens, it should be said that it should not. It is as the result not of a natural virtue that the objects are moved but of the natural obedience by which they are subordinated to the virtue of the demon, who has the power that he has over bodies as a result of the virtue of his nature. I say "power" not because he has the power to impose upon material objects some shape, whether in substance or incidental attribute, without the assistance of another natural object, but because with God's permission he has the power to move objects in location or to bring about some quality. Hence, the effect caused by sorcery is not subordinate to the motion of the heavens, just as the demon himself is not, although those objects and devices are.

[RA 4] As for the fourth argument, it should be said that to the extent that we are speaking at the present time about the effect of sorcery, the work of God can be rendered faulty by the work of the Devil, but because this is possible only with God's permission, it does not follow that the Devil is stronger than God. Also, he does not render the works of God faulty through violence, since in that case he would be able to destroy them.

13C [RA 5] As for the fifth argument, it is simply known | that heavenly bodies do not have the virtue to make an impression on demons since they do nothing that surpasses their own virtue. As for the fact that they come when summoned by magicians at the time of a particular configuration of stars, it appears that they do this for two reasons. First, they know that the virtue of that configuration assists the effect that the magicians desire. Second, they do so to encourage humans to worship some divinity in the stars. From this worship the rite of idolatry arose in the past.

[RA 6] As for the last argument, the reply in reference to the argument's treatment of alchemists' gold should follow St. Thomas in the *Commentary on Pronouncements*, Bk. 2, Dist. 7, in the solution to one argument [*Sent.* 2.7.3.1.Ra4]. There he explains the virtue of demons

in their working, stating that although certain essential forms can be brought about through art by the virtue of a natural agent (for instance, when the form of fire is brought about in wood by art), this cannot happen on a universal basis in that art is not always able to discover the proper agents or to conjoin them to the proper subjects. It can, however, make something similar, and this is how the alchemists make something similar to gold in terms of incidental external characteristics. Nonetheless, they do not make true gold, because the essential form of gold does not exist through the heat of the fire that the alchemists use but through the heat of the sun in a predetermined | place where the 13D
mineral virtue is strong. For this reason such gold does not possess the working that pertains to the category, and it is the same with their other workings.

As for the issue at hand. Demons work through art in connection with the effects caused by sorcery. Accordingly, without the assistance of another agent they are able to bring about no substantial or incidental form. We do not say that a demon inflicts acts of sorcery through art without the assistance of another agent, and therefore with such assistance he is able to bring about true qualities of illness or of any other form of suffering.

In the following sections there will be explanation of how these kinds of assistance or provision of devices do or do not have to co-operate with demons to produce an effect of sorcery.

[Note on Sources
Identified major sources for Q. 1:
Aq., *Sent.* 2.7.3.1; 4.7.3.1; 4.34.3.1
Eym., *Dir.* 3.89
Nider, *Praec.* 1.9]

## question two

[TT] Whether it is a Catholic proposition to claim that in order to achieve an effect of sorcery the demon always has to co-operate with a sorcerer or that one without the other (the demon without a sorcerer or the other way around) can produce such an effect.

[AG 1] The first argument is that the demon can do so without a sorcerer (Augustine in the *Book of Eighty-Three Questions* [79.1–3]) because it is believed that everything that happens visibly can also be

14A made to happen by the lower powers of the air, but since all | forms of bodily harm are not invisible but rather are perceptible, they can also be made by demons.

[AG 2] Also, as for the forms of the harm inflicted on Job (the fire coming down from the Heavens and in one fell swoop burning up his family together with the herds of sheep, and a whirlwind killing his children by blowing down the house), according to Scripture [Job 1.12–19] the Devil worked these without the co-operation of sorcerers and simply by the permission of God. Therefore, such is the case with the other things that are attributed to sorcerers. This is also clearly the case with the demon's killing of the virgin Sarah's seven husbands [Tobias 6:14–16].

[AG 3] Also, whatever power a lower virtue has without the assistance of a higher virtue, the higher virtue has without the assistance of the lower virtue. A lower virtue can stir up hailstorms and induce illnesses without the aid of the higher virtue.[189] For Albert says of sage (*Properties of Things*)[190] that has been made to rot in certain ways that he mentions in that passage, that if it is thrown into a spring, it will stir up miraculous storms in the air.

[AG 4] Also, if it is stated that the demon uses sorcery not because of any insufficiency but for the sake of the damnation of the sorceress
14B whom he desires, | Aristotle ([*Nicomachean*] *Ethics*, Bk. 3 [3.5]) says to the contrary, "Evil is an act of the will." For on the basis of the fact that no one performs an unjust work voluntarily, he proves that such a person does not wish to be unjust and that the voluntary sexual transgressor does not wish to be lacking in self-restraint, and this is why legislators punish evil people on the grounds that they perform evil works voluntarily.[191] If, therefore, the demon uses a sorceress for his work, he uses her as an instrument, and since the instrument depends upon the will of the principal agent and is not acting voluntarily if it does co-operate, the act is not to be ascribed to her and, consequently, she is not to be punished.

[189] This is the second premise of an incomplete syllogism. The omitted conclusion is, "Therefore, a demon can, as a higher being, produce such effects without the assistance of a sorceress."

[190] Text unknown.

[191] The Latin translation of this passage of Aristotle states, "It is an unreasonable idea that the man who does unjust things does not want to be unjust or that the one who commits sexual excesses does not wish to lack self-restraint . . . These arguments are attested to by every individual and by legislators, who punish and harm those who commit unjust works . . . but honor those who perform good works." The argument here clearly demands such a formulation, but the scholastic elaboration of Aristotle has garbled his thought.

To the contrary he can produce no effect among the lower entities without sorcerers ([Aristotle] *Generation*, Bk. 1: "Every action takes place through contact"), and since a demon can have no contact with bodies since he has nothing in common with them, he uses some instrument, instilling in it the virtue to cause harm through contact.[192]

[AG 5] According to this view, the fact that acts of sorcery can happen without the work of demons is proven by the text of Galatians 3[:1] ("O insensible Galatians, who gave you the evil eye to prevent you from obeying the truth?")[193] and the gloss on it. This gloss says, "Certain people have burning eyes that infect others, especially children, with a single glance." To this effect, there is also a pronouncement of Avicenna: | 14C "Moreover, many times a soul has an effect on another's body just as it does on its own, for instance, the work of the evil eye and of the power of estimation when it performs works" (*Book Six of Natural Elements*, Bk. 3, last ch. [*Soul* 4.4.65]). The same opinion is set down by Algazel in Bk. 5, Ch. 9 of his *Physics*. Avicenna even thinks, (his position here is not accepted), that the virtue of the imagination can change external bodies even without vision. In this he expands the power of imagination excessively (here we do not take "virtue of imagination" in the sense that it is distinguished from the other internal virtues of perception like common perception, fantasy and estimation, but in the sense that it includes all those internal virtues). But it is perfectly true that this virtue of the imagination can change an attached body such as the one in which it is. For instance, a man can walk on a plank that is in the middle of the road, but if it is placed over deep water, he will not dare to walk upon it because in his soul the strongly impressed form of falling will be imagined, the material he is made of and the virtue of his limbs obeying this form | and not its opposite (the command to walk straight ahead). 14D In this case, therefore, the change is comparable to the evil eye in that its own body is changed first and not that of the other person, which is the kind of the change about which we are now speaking.

[192] This paragraph appears to provide a rebuttal to Ag4, and therefore properly belongs according to the rules of the disputed question in Ra4 (see 17A). Apparently there has been some undetected error in the composition of this quaestion. The introductory phrase "*sed contra*" suggests that this passage may have been intended to form part of the "*sed contra*" section (see 15B), but even then the method of composition is defective, since it begins with the conclusion and then cites a supporting text, whereas the "*sed contra*" section normally begins with text contradicting the erroneous conclusion argued for at the start of the quaestion and then explains its significance. In any case, the cross reference in the *"sed contra*" section shows that the author of that passage was aware of this one.

[193] "to . . . truth" is not in the Vulgate text of this passage, but here it seems to be considered part of the text.

[AG 6] Also, if it is stated that such a change is brought about in one living body by another through the mediation of the soul, the contrary is the case. Since in the presence of the murderer blood drips from the wounds of the murdered man, bodies can produce miraculous results even without the power of the soul. In the same way, when a living man passes close by the corpse of one who has been killed, he is shaken by terror even though he does not perceive the body.

[AG 7] Also, natural objects have certain hidden virtues whose functioning cannot be described by man, like the fact that a magnet attracts iron and many others recounted by Augustine (*City of God*, Bk. 21 [21.4]), and similarly women are able to make use of certain objects to produce changes in others' bodies without the help of demons. These acts also
15A surpass our reason, but just because they do so, we should not | describe them as consorting with demons as if the acts of sorcery indicated this.

[AG 8] Also, certain sorcerers make use of images and objects as devices, sometimes placing them under the threshold of the entrances to houses or in certain gathering places of domestic animals or humans, who are affected by the sorcery or sometimes die. It is proven that such effects can result from these images in that the images possess certain influences that they have received from the heavenly bodies. For bodies made by art are subordinate to the heavenly bodies in the same way that natural bodies are, and natural bodies can receive certain hidden virtues. Therefore those images created by art, and so on.[194] Hence, it appears that their works can be implemented through such influences and not through demons.

[AG 9] Also, if true miracles occur through the power of nature in that it works them, then amazing and astounding works do occur in this way as a result of the virtue of nature. This is proven when Gregory says (*Dialogues*, Bk. 2 [2.30.3]), "It is sometimes as a result of prayer and sometimes as a result of their power that the Saints perform miracles." An illustration of each is given. By prayer, Peter revived the dead Tabitha,
15B | and without prayer he handed the liars Ananias and Sapphira over to death with a rebuke.[195] Therefore, a man too will be able, through the virtue of his soul, to transform bodily matter in another person, or to bring about a change from health to illness or the other way around.

[AG 10] Also, the human body is more noble than other lower bodies, and because of the comprehension of the human soul the human body

[194] In scholastic discourse, the obvious conclusion of a syllogism is frequently summarized in this way.

[195] See Acts 9:36–42, 5:1–11.

is made to turn hot or cold, as is clear in the case of people who are angry or fearful. Indeed, this change sometimes goes so far as to cause illness or death. Therefore, it[196] is all the more capable of changing bodily matter through its own virtue.

[SC] But to the contrary. Spiritual substance can have influence on a form only with the assistance of another agent, as was discussed above.[197] Hence, Augustine says in the aforementioned book [*City of God* 20.4]: "It should not be thought that the matter of objects visible here obeys the beck and call of those sinful angels, but rather that it obeys God alone." All the less, then, can man achieve the effects of sorcery as a result of natural power.[198]

[CO] Response. There are some who err in connection with this topic by excusing the sorceresses and | by either holding the demons alone 15C culpable or ascribing the sorceress's deeds to certain natural changes. The falseness of these views is first shown through the definition of sorcerers, about which Isidore says, "They are called evil-doers [Lat. *malefici*="sorcerers"] because of the enormity of their misdeeds, that is, by bringing about evils that surpass those of other evil-doers" (*Etymologies*, Bk. 8, Ch. 9 [8.9.9]). Then he adds, "They stir up the elements," that is, through the working of demons, "in order to stir up hail and rain storms." He also says: "They throw the minds of humans into confusion" (understand: resulting in madness and irregular hatred and love). He also adds, "And without any drinking of poison they destroy souls merely through the violence of their chant." "*Nec mirum*" (26, Q. 5) is to the same effect (there are the words of Augustine in *City of God*, where he explains which people are called magicians and sorcerers):[199] "Magicians are those who are commonly called evil-doers [*malefici*] and are named this because of the enormity of their crimes. It is these people who, with God's permission, stir up the elements, throw into confusion the minds of those who have less confidence in God, and without the drinking of poison kill humans merely through the violence of their chant. Hence Lucan, too, says [*Civil War* 6.457]: | 'Contaminated with no contagion 15D from poison that has been drunk, the mind, being enchanted, dies.'

[196] Presumably the soul.

[197] See n. 192.

[198] Logically, this argument should also mean that the demons are just as incapable of influencing sorcerers, and realization of this difficulty is the cause of the insistence throughout the work upon the permission of God in the practice of sorcery.

[199] This clause in the Latin appears to explain the origin of the quotation in the *Decretum*, though it may simply be an independent citation. In any case, the following quote does come from the *Decretum* without attribution to Augustine (it is actually from Isidore). Presumably, the erroneous attribution is some sort of misguided scholastic's attempt at demonstrating erudition.

For after summoning demons, they dare to impel them to kill their enemies with evil arts."[200] From these statements, it is clear that in works of this kind it is always necessary for the demons to co-operate with sorcerers.

Second, we can assign effects serving as penalties to four categories: assisted, harmful, caused by sorcery, and natural. "Assisted" is the name for those effects inflicted with the assistance of good angels, and similarly "harmful" is the name for those inflicted with the assistance of evil spirits. For in the ten plagues Moses smote Egypt with the assistance of good angels, while in the nine the magicians simply co-operated with evil spirits.[201] As for the three-day disease resulting from the sin committed by David in connection with the census of the people and the slaughter of 77,000 people in the army of Sennacherib in a single night,[202] in these instances the actions were clearly carried out by angels of the Lord, that is, by good ones who recognized and worshipped the Lord. When effects are named "harmful" in the Scriptures, these are impositions on
16A the part of evil angels [Ps. 77:49], and that nation[203] | was often stricken in the desert by impositions of this kind. Effects are said to be "caused by sorcery" when a demon works through sorcerers or magicians, and similarly "natural" ones are those brought about in lower objects as a result of the influences of heavenly bodies in terms of deaths, the blighting and sterility of crops, hail storms and the like. There are great differences among these effects, and therefore since Job was stricken by the demon with a "harmful" plague and not with one "caused by sorcery," this has no relevance to the issue at hand.

If, in the rather quibbling manner in which this topic often suffers trifling examination at the hands of the defenders of sorceresses, who always busy themselves with the surface level consisting of the words and never reach the pith consisting of the truth,[204] someone demands to know why Job was not stricken by the demon with an effect caused by sorcery in the same way that he was with a harmful one, to such people the quibbling response can be given that Job was stricken by the Devil alone with no sorcerer or sorceress acting as intermediary either because this sort of superstition had not yet been invented, or even if it had,

[200] This last sentence is a paraphrase of *Code of Justinian* 9.18.6.

[201] This is a misrepresentation of the story in that the magicians directly competed with Moses only in the first few plagues.

[202] See 2 Sam. 24:11–15 and 2 Kings 19:35. Oddly, while the latter passage lists 185,000 victims, the former has 70,000.

[203] I.e., Israel.

[204] Note the impatience with anyone who questions the basis of this conception of sorcery.

the providence of God nonetheless wished the power of the demon | to become known to the world for the glory of God and as a precaution against the Devil's traps. For he can cause an effect only when permitted to by God. 16B

As for the time when the first kind of superstition was invented – I mean the first kind in terms of the invocation of demons and not pure idolatry – Vincent says in *Mirror of History* [1.101], citing many Doctors, that the first inventor of the arts of magic and astrology was Zoroaster, who is said to have been Ham, the son of Noah.[205] According to Augustine (*City of God* [16.3, 10; 21.14]), he is the only man to have laughed when he was born, which was nothing but the work of the Devil. When he was king, he was defeated by Ninus, the son of Belus, who built Nineveh, or rather was the one under whom the kingdom of the Assyrians was founded in the time of Abraham. This Ninus also had an image made for his dead father on account of his irregular love for him, and all criminals who fled to this image were free from every punishment they owed. As a result, people began to worship images as gods, but this was after the first generation, because at that time there was no idolatry on account of the freshness of the memory of the creation of the world, as Saint Thomas says (*Second* | *of Second*, Q. 95, Art. 4 [actually, *Summa* 2/2.94.4.Ra2]). Or it began with Nimrod, who would force men to worship fire, and thus idolatry came into existence in the second generation.[206] 16C

Idolatry is the first kind of superstition, divination being the second and observation the third. The rite of sorcerers is ascribed to the second kind of superstition (divination), which takes place through the explicit invocation of demons. There are three varieties of it: nigromancy, the study of planets (also called astrology), and divination through dreams.

I have set out these facts in order that the pious reader may understand that those harmful arts were not invented suddenly but over the course of time, and that it is not discordant to claim that there were no sorceresses at the time of Job. For the harmful arts of demons grew incrementally over the course of time in the same way that the knowledge of the Saints did, as Gregory says in *Moralia* [34.1]. The earth is now full of the knowledge of the Lord (Isaiah 11[:9]), and similarly, as the evening

[205] Here the Persian prophet of the sixth century BC is given a biblical lineage. The dualist religion founded by him (known as Zoroastrianism) was associated in the ancient world with astrology, in which the Chaldeans (a priestly clan of the Persians) were supposedly highly versed.

[206] For the "generations" of mankind, see Aq., *Sent*. 4.40.1.4 Ex.; the first encompassed the period from Adam to Noah, the second the period from Noah to Abraham, that is, the period from the regeneration of mankind after the Flood until the Covenant.

of the world is now declining toward sunset and the evil of men increases and their Grace[207] grows cold, every sort of iniquity on the part of sorcerers is superabundant.[208] In any case, when Zoroaster devoted himself
16D to these acts | (just the observation of the stars), he was impelled by the Devil (cited above).

As for the time when one reads that sorcerers united with demons to inflict acts of sorcery, this was discussed above, and this is stated in Exodus 7 with reference to the magicians of Pharaoh, who, in the plagues across Egypt, performed many signs through the assistance of demons in the same way that Moses did through the assistance of good angels.

Hence, the conclusion is the Catholic Truth, that to achieve an effect of sorcery (though not a harmful one) a sorcerer always has to co-operate with a demon, and through these statements the response to the arguments is clear.

[RA 1] As for the first, it is not denied that harmful effects, which are visibly perceptible in connection with humans, domestic animals and crops and which often do derive from the influences of heavenly bodies, are also inflicted by demons with the permission of God. For Augustine says: "Fire and air are subordinate to demons to the extent that this is permitted to them by God" (*City of God*, Bk. 3 [*Trinity* 3.8?]). This is also clear from the gloss on the words "inflictions through evil angels," [Ps. 77:49] which says: "The Lord punishes through evil angels."

[RA 2] From these statements and from the previous discussion about the beginning of the magical art, the response to the second argument (the one about Job) is also clear.

17A [RA 3] As for the third argument (the one about the rotten sage thrown into a well), the response is that although the harmful effect follows without the help of a demon (though not without the influence of a heavenly body), still, we are speaking about an effect caused by sorcery, so the situation is not comparable.

[RA 4] As for the fourth, it is said that it is true that it is only for the sake of their damnation that demons use sorcerers. When it is concluded that the latter are not to be punished because they are co-operating as instruments that are set in motion at the command not of themselves but of the principal agent, the response is that they are instruments possessing souls and acting freely. Granted, they are no longer at liberty after they make the explicit agreement with the demons, because, as we

[207] Lit. "charity"; for the use of this term as a synonym for the grace of God, which makes better sense here, see Pt. II, n. 495.
[208] For the general sentiment, cf. 2A.

have learned from the confessions of these women (I am speaking of womenfolk burned for very many acts of sorcery), they are compelled to work with them if they wish to escape scourging at the hand of the demons. Nonetheless, they remain bound by the initial avowal in which they willingly subordinated themselves to the demons.

As for the other arguments[209] in which it is proven that the effects of sorcery can be brought about by old women without the work of demons, | it should be said that it is contrary to reason to derive various 17B
conclusions from a single specific example. Since in all, it seems, of the Holy Scriptures no such thing is found except in this instance, where it is a question of old women giving the evil eye or making evil facial expressions, it is not valid to conclude on this basis that it always has to happen in this way. In addition, a doubt is raised by the gloss as to whether such a giving of the evil eye can happen without the work of demons because from the glosses on that topic it can be inferred that the evil eye is received in three ways. The first way is called the duping of the senses. This happens through the magical art, and it can happen with the assistance of demons, unless they are prohibited by God, Who intervenes directly or indirectly through the assistance of the holy angels. The second way can be called envy, as when the Apostle says, "Who gave you the evil eye?" Gal. 3[:3] that is, "persecuted you with such hatred?". The third way is that as a result of such hatred a change for the worse takes place in the body of someone through the eyes of someone else who is looking at him. It is about this meaning of "giving the evil eye" that the Doctors commonly speak in the same fashion as Avicenna and Algazel, as is documented in the arguments. For St. Thomas explains this giving of the evil eye in the following manner (*First Part*, Q. 117 [*Summa* 1.117.3.Ra2]): "As a result of the strong imagination of the soul | the 17C
spirit of a conjoined body is changed. This change of spirits takes place especially in the eyes, which the more delicate spirits reach. For the eyes infect the adjoining air for a predetermined distance, in the same way that when mirrors are new and pure, they attract some impurity from the sight of a menstruating woman, as Aristotle says in the book *Sleep and Wakefulness* [2]. In this way, then, when a soul is strongly impelled in the direction of evil, as happens to old women in particular, the sight of her is rendered poisonous and harmful in this manner, especially for children, who have tender bodies that are easily receptive of an

[209] This passage interrupts the replies to the individual arguments, which resume in 18D.

impression. Yet, he adds that it is also possible that by God's permission or as a result of some hidden deed the ill-will of demons, with whom fortune-telling old women have some agreement, works with them to produce this effect.

For a fuller understanding of the solutions, some uncertainties are raised so that the truth will become clearer from the solution to
17D them. For it seems that an obstacle | is first posed by the idea mentioned above [15B], that spiritual substances can change bodies into some natural form only through the help of another agent and that therefore all the less can the imagination do so, however strong it may be in the soul.

Also, there is an article[210] that is condemned in many universities, especially the University of Paris.[211] According to this article, some enchanter can fling a camel into a pit by sight alone, because the soul in its capacity to understand makes an impression on the soul in another capacity, including that of perception, in the same way that higher intelligences[212] make impressions on lower ones.

To the same effect there is the condemned article stating that external matter obeys spiritual substance, if this is understood in a straightforward manner and in terms of every method of change, because in this way it obeys God alone, as was previously explained.[213]

Once these points are seen, there is an explanation of how the giving of the evil eye, which is what we are talking about, is or is not possible. For it is not possible for a human to send out from his eyes through the natural virtue of his soul the sort of force that can, without the mediation
18A of a change in his own or | an intermediate body, inflict damage on the body of a person he is looking at, especially since according to the more common view we see through an internal act of receiving but send nothing out.[214] It is also not possible that by imagining in his eyes a human can, by the natural virtue of his soul and at his own discretion, cause a change that can, through the intervention of a medium (the air), change the body of the person he is looking at into some quality in conformity with his own decision.

[210] I.e., a proposition for scholastic disputation.
[211] The decision referred to here is unknown.
[212] "Intelligence" was used in translations of Arab philosophical works (Aq., *Summa* 1.79.10c.Co.) and was equated with the "disembodied substances."
[213] 15B.
[214] The view rejected here is the theory that eyesight works by sending out some sort of beam that bounces back from the object being viewed and returns with an impression from which the eye perceives the object, in a similar way to radar or sonar.

Since one human cannot affect another with the evil eye in the two methods mentioned, it not being possible for such virtue to repose in any human through the natural virtue of his soul, it is completely alien to the truth to wish to prove that the effects of sorcery can arise as a result of some natural virtue in order to argue away the deeds of sorcerers that take place through the virtue of demons. For the act of giving the evil eye in the two methods mentioned is refuted just as those articles are.

Though how this is possible was mentioned above, the matter is explained more clearly as follows. It can happen that | a man or woman 18B looking at the body of some child impels the child through the intervention of vision or imagination, as if through being affected in the perception. Because being affected in perception is accompanied by a certain bodily change and because the eyes are very receptive to impression because of their great tenderness, it sometimes happens that through being affected internally the eyes are changed to some evil quality. This is especially so when a certain imagination contributes its working to produce this result, since the impression of the imagination quickly flows into the eyes because of both their tenderness and the proximity of the root of the perceptions belonging to the organ of imagination.

When the eyes have been changed to some harmful quality, it can happen that they change the adjacent air to some evil quality and that part of the air affects the next, and so on up to the air adjacent to the eyes of the child being looked at. Sometimes this adjacent air will be able to affect matter with which it is in harmony – both matter that is so disposed and in conformity with it – changing the eyes of the child himself to some evil quality, and then the mediation of the eyes of the child in turn changes certain internal parts. As a result, the child will be able neither to digest food | nor to gain strength or grow in his limbs. 18C

There is an instructive proof of this matter through experience. We see that a person affected in the eyes sometimes harms the eyes of someone looking at him. This results from the fact that the eyes, being tainted with some evil quality, taint the intervening air and the tainted air taints the eyes directed at the sick eyes. For the tainting is drawn along a straight line directly to the eyes of those who are looking. The imagination of the other person contributes its work in producing this result in that he imagines that he is being harmed by looking at the sick eyes. Many more instructive illustrations could be given, but these are omitted for the sake of brevity.

A certain gloss on the phrase in a psalm that says, "Those who fear you will see me and rejoice" [Ps. 118:74] is in agreement with these

statements. This gloss says, "There is great virtue in the eyes, as is clear in the natural world. For the sight of an animal is beneficial to people suffering from jaundice. When he sees wolves first, a person takes away their voices in just this way, and if a basilisk sees first, it kills, but if it is seen first, it is killed. The only reason why a basilisk kills a person by seeing him is just that as a result of the sight and the imagination a poisonous substance is stirred in his body, and through this material
18D first its own eyes are tainted | and then the adjacent air. Other parts of the air are then tainted up to the air adjacent to the person, and when the person breathes this air, he is poisoned and dies. On the other hand, when the basilisk is seen first, the person wishes to kill the basilisk and arms himself with mirrors from which the air is infected by reflection when the basilisk looks into it, and when this reaches the basilisk, it is killed. Yet it is uncertain why the person who kills the beast does not die, and on this point it is necessary to hypothesize some hidden reason.

These statements have been made without prejudgment of the issue or any rash claim. Let us merely rely on the words of the Saints and conclude the Catholic Truth, that for the effects caused by sorcery, which is the matter about which we are speaking at present, sorcerers always co-operate with the demons, and the one can achieve nothing without the other.

As for the arguments.

[RA 5] The response about the evil eye obviously answers the first.[215]

[RA 6] As for the second, it is said following Vincent in the *Mirror of Nature* (Ch. 13)[216] that when the wound is tainted with the spirits of the killer, the wound attracts tainted air as a result of the strength of
19A the imagination, and when | the killer passes by, the blood bubbles up and drips out. For the air enclosed in the wound is set in motion in the presence of the killer in the same way that it entered from the killer, and as a result of being set into motion in this way the blood bursts forth. There are certain men who cite other explanations, claiming that the bubbling of the blood is his shout from the earth against the killer's presence (because of the curse on the first killer, Cain).

As for the argument about horror (that a person passing close by the corpse of a murdered man is shaken by horror even if he does not perceive

[215] Here the replies to the individual arguments that were interrupted in 17A resume, but the numbering of the replies starts again from one, despite the fact that the first four have already been given.

[216] Erroneous reference.

the corpse), it should be said that this results from the breathing, which receives some tainting, however small, and conveys it to the soul.

These phenomena offer no conclusive proof against the works of sorcerers, since they can all happen naturally, as has been said.

[RA 7] As for the third argument, while the rites of sorcerers are assigned, as was said before,[217] to the second kind of superstition, which is called divination, the superstitious use of objects in certain observances is assigned to the third kind. Hence, the argument is not relevant. This is also so because the rites are not assigned to just any sort of divination | but to the kind that takes place through the explicit invocation of 19B demons. (This can happen in many ways, namely through nigromancy, geomancy,[218] hydromancy[219] and so on; see *Second of Second*, Q. 95, Art. 5 [actually, *Summa* 2/2.95.3.Co.]). Hence, since this sort of divination by sorcerers in instances where they are engaged in acts of sorcery represents the pinnacle among foul acts, there is a different judgment about it. Thus, when it is argued that we cannot grasp the hidden virtues of objects and that the sorcerers are in fact making use of hidden objects, it is said that if they were making use of natural objects to produce certain natural effects as a result of natural virtue, this would be permissible, as is self-evident. Even if it is conceded that they were making use of natural objects in a superstitious way (for instance, inscribing on such objects certain characters or unknown names) and that they were using those things to acquire health or friendship and for some benefit and not to inflict some harm, then although such actions could be done without the express invocation of demons (though not without an implicit invocation), they are still judged unlawful. In any event, because these and | similar acts 19C are ascribed to the third kind of superstition (the observance of vanities, as has been said) this provides no help with the issue at hand, which concerns the heresy of sorcerers.

There is also a solution in that four categories are assigned to this third kind in that someone uses observances to gain knowledge, or to make conjectures about fortunate or unfortunate events, or for the hanging of sacred words[220] or to change bodies for the better. Hence, in the heading to the question in which he asks whether observances ordained for changing bodies are permissible (same book of the *Summa*, Q. 96, Art. 2 [2/2.96.2]), St. Thomas significantly adds, "for instance, for the

[217] 16C.
[218] Divination by earth.
[219] Divination by water.
[220] As amulets; see 172C, 173B.

purpose of health." Therefore, since the observances of sorcerers are not placed here but, as has been said, are contained in the second kind of superstition, this has no relevance for the issue at hand.

[RA 8] From these statements comes the response to the fourth argument. Two sorts of images can be made in these observances (nigromantic ones and astrological ones), and these two concepts are distinguished in that, while in acts of nigromancy explicit invocations of demons are
19D made on the basis of the explicit agreements entered into with | the demons (see the solution to the second argument of the question mentioned above [*Summa* 2/2.96.2.Co.]), in acts of astrology the agreements are implicit and for this reason there is no invocation (except perhaps an implicit one, involving, for example, the signs consisting of figures or characters that are inscribed on them). Again, it is the case either that the images of nigromancy are made under certain configurations of stars in order to receive certain influences or impressions from heavenly bodies with certain figures and characters being marked on a ring (for instance, or a gem or some valuable material), or that they are made in a straightforward manner without any observance of the configurations of the stars and indifferently out of any material at all, even a cheap one, in order to inflict acts of sorcery, when and where these devices for sorcery are placed in certain locations. Since the present discussion is about these effects and the associated images, and not about the others, this argument is not relevant to the issue at hand.

As for how the superstitious images that have been mentioned have no efficacy in that they are creations of art, though perhaps the materials noted in connection with them could have efficacy, if and to the extent that they had some natural virtue from the influence of the heavenly bodies, someone should, if he wishes, examine the Doctor in the same passage.

20A In any case, he says that while it is always unlawful to use images, the images of sorceresses are made without any natural competence to bring about the effect, and it is only by the command of the demons that they deposit and apply them in order that the sorceresses should co-operate with their hands towards the effect, the purpose being to inflict more insult on the Creator, so that He should become even more angry and give further permission for evil things to happen as punishment for such foul acts. This is also why they also cause such deeds to be done at the more holy times of the year.

[RA 9] As for the fifth argument, it should be said that in that passage Gregory understood the power of Grace and not of nature, and this is

why he adds, "Why is it amazing if those who are the sons of God in power, as John says [John 1:12], make signs as a result of their power?"

[RA 10] As for the last argument, it should be said that the comparison is not valid, because the action of the soul in connection with its own body is one thing and its action in connection with another's is another. Because the soul is united with its body as its form is, and because the desiring of the senses is the act of some organ of the body, when the human soul feels apprehension, the senses' desiring is stirred and this can result in some physical change resulting in heat or cold, even to the point of death, | but no apprehension of the human soul is sufficient 20B to change external bodies except through the intervention of a change in that body itself, as has been said with regards to the evil eye. Hence, sorcerers through no natural power and merely with the assistance of demons on the one hand, and demons by themselves with the help of some object like thorns, bones, strands of hair, pieces of wood or the like on the other, bring about the effects of sorcery when they insert or deposit some device, as will be explained in the following discussion.[221]

[Note on Sources
Major identified sources for Q. 2:
Aq., *Summa* 1.111.3; 1.117.3; 2/2.96.2
*Decretum* 26.5.24
Nider, *Praec.* 1.11.24]

Next, we should cling more closely to the spiritual text of the Apostolic Bull[222] and consider the origin of sorcerers and the increase in the number of their works, treating the sorcerers first and their works second. Here it should be noted that since three elements must co-operate to bring about such an effect, namely the demon, the sorceress and God's permission (33, Q. 1 "*Si per sortiarias*"),[223] Augustine says [*The Christian Doctrine* 2.23] that this superstitious vanity was discovered as a result of a baneful alliance of humans and demons. Therefore, the origin and increase of this heresy is derived from this pestilential alliance. | This 20C fact can be deduced from other information. First, let it be noted that this Heresy of Sorcerers differs from other heresies, not only in that,

[221] There is no overt discussion of this topic, but the method turns up several times in Pt. II, Q. 1, especially in Ch. 12 (134D, 135D, 138C; see also 144A, 156D).

[222] I.e., *Summis desiderantes* (1A*–2B*).

[223] The text cited does not exactly say this but does imply it: acts of sorcery are said to happen "through the permission of the hidden judgment of God and the preparation of the Devil" (see 7C).

whereas the difficult nature of the things that must be believed in all the other, straightforward heresies means that assent is given to the errors without any implicit or explicit agreement being entered into with demons (though not without the instigation of the Sower of All Lack of Faith),[224] the heresy of sorceresses uses agreements that are not merely expressed but ratified as treaties, and for this reason it is crazed with the desire to insult the Creator and harm His creations in every way. It also differs from every harmful and superstitious art in that, in a way that surpasses all the other varieties of divination, this heresy of sorcerers reaches the highest level of evil, since it even takes its designation from evil-doing ["*maleficere*"] or having an evil opinion ["*male sentire*"] about the Faith, as was mentioned before. Let it also be noted that among other actions they must follow four practices that serve to increase that breach of the Faith: they renounce the Catholic Faith in whole or part with a sacrilegious speech, solemnly devote themselves in body and soul, offer babies not yet reborn[225] to the Evil One, and persistently engage in the Devil's filthy deeds through carnal acts with incubus and succubus
20D demons. | If only it were true that all these things were devoid of any truth and that they should be called figments, so long as the Church were free from such a blemish of infection! Unfortunately, this wish is precluded both by what the Apostolic See has established through its Bull and by experience, the teacher of reality, which has, on the basis of the women's own confessions and the crimes committed by them, made us so certain that we cannot now cease to conduct inquisitions into these people without the loss of our own salvation. Therefore, since the matter about which we are about to treat, their origin and baneful increase in number, entails hard work, the readers must examine the details with the greatest attentiveness, so that those statements that are found to be in agreement with reason and not in disagreement with the traditions of the Scriptures will have to be admitted.

Because among all the acts that serve the purpose of increasing their numbers, two work with them most to this end, namely the incubus and succubus demons and the sacrilegious offering of babies, we will treat them separately, though the demons will be mentioned first, the
21A sorcerers second, and God's permission third. | Because the demons work through the intellect and the will and do so under one configuration of stars rather than another, in order that the seed will have the strength to beget progeny, an examination of the configurations observed by

[224] I.e., the Devil.

[225] I.e., unbaptized: 96A, 96D, 97C (with 214D), 138C; cf. 211D.

the demons will be necessary.[226] Accordingly, three principal questions will be asked.[227] First, whether this heresy could originally be increased in terms of incubus and succubus demons;[228] second, whether their[229] works can be strengthened in terms of the heavenly bodies, which are also causes of human actions;[230] and third, whether this heresy can be increased through the sacrilegious offering of babies to demons.[231] But within the second and third questions a second principal question, which concerns the influence of heavenly bodies, will be treated (this being an appropriate continuation of the treatment of the works of sorcerers).[232] Regarding the first point, there will be three difficulties: the first a general one about the incubus demons, the second a specific one about which demons practice such acts, and the third a particular one concerning the sorceresses' subordination of themselves to the demons.[233]

## QUESTION THREE OF PART ONE 21B

[TT] AS FOR THE FIRST point, it seems that it is a Catholic proposition to claim that humans can be begotten by incubus and succubus demons.[234]

[AG 1] The begetting of humans was instituted by God before the introduction of sin, in that he shaped woman as an aid for man from his rib. To them He said, "Grow and increase in number" (Gen. 1[:28]) and again with inspiration Adam said, "There will be two in one flesh" (Gen. 3 [actually, 2:24]). Similarly, under natural law after the introduction of

[226] Cf. 24B.

[227] The logical connection of this threefold division to what precedes it is by no means clear, and the internal logic of the organizational conception is likewise obscure, in that the question of offering babies to demons turns up later in the paragraph as a "difficulty" concerning the first question (the increase of the heresy through demons). Apparently, the main questions will appear in Q. 3, Q. 5, and Q. 11, with Q. 5 and Qs. 6–10 providing subordinate explanations of "difficulties."

[228] Q. 3 (21A–26B). The phraseology of this clause is peculiar; the phrase translated as "in terms of" literally means "in comparison with," but the sense seems to be whether the relevant action can be ascribed to the entities "in comparison with" which the action takes place.

[229] Presumably, the sorcerers.

[230] Q. 5 (29D–39C).

[231] Q. 11 (63A–64B).

[232] It is not clear in what way this question can be said to come between the second and third general questions just mentioned, since Q. 5 (29D–39C) is the only one to treat the topic of the heavenly bodies and their influence, and there is no material between the end of the solution to the arguments at the end of Q. 5 and the immediately following Q. 6 (39D–46A).

[233] The third "difficulty" refers to Qs. 7–11 (46A–64B) (see n. 333), and second is Q. 4 (27A–29D), but the first "difficulty" apparently signifies nothing but Q. 3 (21A–26B).

[234] Scholastic method would lead one to expect an overt statement of the incorrect view that is about to be argued for and then refuted: "It seems that humans cannot be begotten by demons."

sin[235] Noah was told, "grow and increase in number" (Gen. 9[:1]). In the period of the New Law,[236] too, this union was confirmed by Christ ("Did you not read that from the beginning He who made humans made them male and female?" (Matt. 19[:4])). Therefore, other methods of begetting humans should not be posited.

If it is said that demons co-operate not as a natural but as an artificial origin when they contribute to natural conception by taking the seed of
21C humans | and later pouring it in, the contrary is so, because the Devil would have this virtue either in connection with any status, whether within marriage or outside it, or only in one. The first is not so, because in that case the work of the Devil would be stronger than that of God, Who instituted or confirmed every status (for instance that of the celibate and the married). The second is also not so, because nothing can be read in the Scriptures about humans of one status and not the other being begotten in this way.

[AG 2] Also, to beget a human is the act of a living body, but demons cannot give life when they have assumed bodies, because life flows in a formal sense only from the soul, and this is the act of a physical, organic body that has the power of life ([Aristotle] *The Soul*, Bk. 2 [2.4]). Therefore, they cannot perform the works characteristic of life through such assumed bodies.

If it is said that it is not in order to pass on life but to keep a natural
21D seed and pour it in that they assume a body, the contrary is so. | For nothing is redundant in the works of nature,[237] just as this is the case with the works of good and bad angels, and since a demon can, through the natural virtue by which he surpasses every virtue of the body, both gather and later use the seed invisibly, the explanation that will be given is either that he cannot do this invisibly, or if he can, one action will be redundant.[238]

[235] I.e., before the Covenant between God and Abraham.

[236] I.e., the new teaching introduced by Christ in the New Testament, as opposed to the Law of the Jews as laid out in the Old Testament.

[237] That nature does nothing superfluous was a fundamental aphorism of scholasticism.

[238] The logic is not clearly expressed. The argument makes use of the procedure whereby an accepted assumption (here, that demons can act invisibly, i.e., without assumed bodies) is contrasted with an assumption from the disputed proposition (here, that demons transfer real seeds in assumed bodies) and a conclusion is drawn from their incompatibility. From the present juxtaposition it follows either that the first is not true, which cannot be the case if the validity of the first is taken for granted, or that one of the two must be redundant, which has to be the second if the first is held to be true. Therefore, on the principle that nature rejects redundancy, demons do not transfer seeds in assumed bodies. Basically, the point is that if they can do so invisibly, there is no point in doing so in assumed bodies.

This explanation is strengthened when it is said in the *Book on Causes* that the virtue of the intelligence[239] is unbounded downwards, though it is bounded upwards, and all bodies are below intelligences. Therefore, through the unbounded nature of his virtue he can change bodies in whatever way he wishes. Therefore, since angels, whether good or bad, are intelligences, they can make changes in seeds without assuming bodies.

[AG 3] Also, the action of taking seed from one person and pouring it into another takes place through movement in location, but demons cannot move bodies in location. This is proven by the fact that the soul is a spiritual substance just like the demon, but the soul cannot move a body in location unless it is brought to life by the soul, and for this reason, if a limb is made dead, it is rendered unmoving. Therefore, demons likewise cannot move a body in location unless it is brought to life by them. | It has also been said (as a self-evident notion), that demons 22A
do not bring a body to life, and therefore they will likewise be unable to move the seed in location from place to place.

[AG 4] Also, every action happens through contact, as is said in *Generation*, Bk. 1 [actually, Aristotle, *Physics* 7.2], but it does not seem that a demon could have any contact with bodies, since he has nothing in common with them. Since, therefore, the act of introducing seed and of moving it in location signifies doing something, it seems that demons cannot do those things.

[AG 5] Also, demons cannot move bodies that are closer to them in the natural order, like heavenly bodies, and therefore they likewise cannot move other objects that are further away. The preceding is proven on the grounds that since the mover and the moved exist simultaneously (*Physics*, Bk. 2 [7.2]), it would follow that demons moving heavenly bodies would be in Heaven, which is true according neither to us[240] nor to the followers of Plato.

[SC 1] But to the contrary. Augustine says, "Demons gather seeds which they use for bodily effects" (*The Trinity*, Bk. 3 [3.8]), and this cannot happen without a movement in location. Therefore, the demons can receive seeds from some people and | pour them into 22B
others.

[SC 2] Also, Strabus' gloss on Exodus 7[:11] ("Pharaoh summoned the wise men . . . ") says that demons scatter throughout the world and gather

[239] For the meaning, see n. 212.
[240] I.e., Christians.

various seeds and from the use of them different sorts of creatures are able to burst into existence (the gloss on the words "Pharaoh summoned" in this passage should also be examined).

[SC 3] Also, the gloss on the phrase "the sons of God seeing the daughters of men . . . " (Genesis 6[:2]) says two things. First, in the phrase "the sons of God" the sons of Seth are understood, and in the phrase "the daughters of men" the daughters of Cain are understood. Second, it says that it is not incredible that wicked humans of this kind, that is, giants, were begotten not by humans but by certain demons who act immorally toward women. About the giants the text says, "And there were giants upon the earth, because even after the flood the bodies of not only men but also women possessed incredible beauty" [Gen. 6:4].

[CO] Response. Because the many facts about the power and works of the Devil in regard to producing effects through sorcery are omitted for the sake of brevity, it is left to the pious reader to take them as
22C self-evident, | or at any rate, if he wishes to learn this in the writings of the Doctors, he will find the details illuminated with exactitude in the *Commentary on Pronouncements*, Bk. 2, Dist. 5 [presumably, *Sent.* 2.7]. He will see that the demons carry out all their deeds through the intellect and will, and also that all these natural gifts are not changed, but according to Dionysius (*Divine Names*, Ch. 4 [4.23]) they have remained intact and excellent, though the demons are not able to use them for the good that is virtue. He will also find out in regards to intellect that they are powerful in three sorts of keenness of knowledge: natural subtlety, experience of events and revelation on the part of spirits above. He will also find out in connection with whom and how they recognize the conditions and natural impressions that are predominant in humans as a result of the influences of heavenly bodies, deducing from this knowledge that some people are more disposed to carry out acts of sorcery than others and importuning these people to carry out such acts more often than they do other people. As for his will, the reader will discover that this clings immovably to evil and always sins with the sins of arrogance, envy and the highest displeasure at God's
22D using him for His own glory | contrary to the demon's will. He will learn how on the basis of these two elements (intellect and will), he works wonders, so that there is no power on the earth that can be compared to them ("There is no power over the earth that can be compared to him who was created to fear no one" [Job 41:24]. On this there is the gloss: "Though he fears no one, he is nonetheless subordinate to the

merits of the saints.") He will also find[241] how the demon recognizes the thoughts of our hearts, how he can transform bodies in substantial and coincidental qualities with the help of another's agency, how he can move bodies in location, and change their outer and inner senses to make them have some thought, and how they can change a person's intellect and will (though indirectly).

Though all these facts serve the purpose of our present speculation, we nonetheless wish to derive conclusions from these facts only about the demons' characteristics, so that we may proceed to the discussion of the question. These characteristics have been ascribed to them by theologians, because they are impure spirits (though not unclean by nature). | According to Dionysius, unreasoning rage, insane lust and perverse 23A
fantasy are inherent to them (understand this in terms of their spiritual sins: arrogance, envy and anger). For this reason, they are enemies of the human race and are rational in mind (though intelligent without running around), subtle in wrong-doing, desirous of causing harm, and ever novel in deceit. They change senses, pollute affections, disturb those who are awake, disquiet those who are asleep with dreams, inflict diseases, stir up storms, turn themselves into angels of light, always carry Hell around with them, and in their relations with sorcerers usurp God's worship for themselves. The magical arts are carried out through them. They desire to gain lordship over the good and harass them more to the best of their abilities, are given to the Elect for their training, and always lie in ambush to attack man's goal. Though they have a thousand methods and arts for causing harm (16, Q. 2 [*Decretum* 2.16.2.1]), in that since the start of their own fall they have been trying to tear down the unity of the Church, to wound love, to infect the sweetness of holy works with the bile of envy, and in every way to overturn the human race and throw it into confusion, | his power abides in the loins and 23B
navel (next to last chapter of Job [actually, 40:11]), since it is through the debauchery of the flesh that they gain great lordship over men. For the seat of debauchery is in the loins in men, since the seed is emitted from there, and it comes from the navel in women.

With these statements set out as preliminary remarks for the understanding of the question about incubus and succubus demons, it should be said that to claim that humans are sometimes begotten through incubus and succubus demons is such a Catholic proposition that to claim the opposite is contrary not simply to the sayings of the Saints but

[241] Perhaps Aq., *Summa* 1.57.4 is meant.

also to the tradition of Holy Scripture. This conclusion is reached in the following manner.

In one passage, Augustine raises this question in connection not with sorcerers but with the workings of demons and the stories of the poets, and leaves it as uncertain, though later he does make a determination in terms of the sense of Holy Scripture. In *City of God*, Bk. 3, Ch. 2 [actually, 3.3], he says, "Let us leave undecided whether Venus was able to give birth to Aeneas as a result of lying with Anchises." For virtually the same question arises in connection with the Scriptures: whether
23C it was sinful angels who slept with the daughters of men, | when the earth was then filled with giants (that is, men of exceeding size and strength) born of such unions. In Bk. 5, Ch. 22 [actually, 15.23], he makes a determination of the question in the following words. "The story is very widespread, and many men confirm that they have learned through experience or heard it from men of unquestionable faith, that forest-dwellers and fauns, whom the common people call incubi, were wicked to women and desired and achieved intercourse with them. That certain demons, whom the Gauls name '*dusii*,' constantly attempt and achieve this form of filthiness was commonly asserted by a large number of people of such character that it seems to be an act of impudence to deny it." Afterwards, he gives as his determination of the second question that the passage in Genesis ("the sons of God," that is, Seth, "seeing the daughters of men," that is, Cain) is understood to concern not simply incubi. To the effect that the existence of incubi is not unbelievable there is a gloss on the same passage, which, as has already been mentioned, says, "It is not unbelievable that it was not by humans but by angels or certain demons who are wicked to women that such people, that is,
23D giants, were begotten, | and about them the text says, 'And there were giants over the earth, who even after the flood . . . '" (cited above). A gloss on Isaiah 13[:21], where the prophet foretells the destruction of the city of Babylon and its inhabitation by monsters, makes the same point. "Ostriches," says Isaiah, "will live there, and shaggy people will dance there" (understand "demons" in place of "shaggy people"). Hence, the gloss says, "'Shaggy ones' are hairy forest people, who are incubones or satyrs, certain varieties of demons." Also, on Isaiah 13[:20–21], the passage where he prophesies the desolation of the land of Idumaeans, who were persecuting the Jews (he says, "It will be a bedchamber of snakes, and pastures for ostriches and demons will appear") an interlinear gloss says, "That is, demonic monstrosities intermingled." The gloss of St. Gregory on the same passage says, "As for those who are being portrayed

as 'shaggy ones' with a different name, are these not those whom the Greeks call 'Pans'[242] and Latin speakers 'incubi'?" To the same effect St. Isidore ([*Etymologies*] Bk. 8, last ch. [8.11.103]) says, "Shaggy ones, who are called Panites in Greek and *incubi* in Latin. Hence, they are also called incubi, from the verb '*incubare*' ['to lie upon'], that is, to commit sexual misconduct. For they are often wicked to women | and 24A achieve intercourse with them. These demons the Gauls called '*dusii*,' because they assiduously achieve this form of dirtiness. As for the one that they commonly call an 'incubo,' the Romans name him a 'fig-faun'. To him, Horace says, 'O Faun, lover of the fleeing nymphs, walk softly through my land and sunny fields' [*Odes* 3.18.1–3]." In addition, there is what Paul says in 1 Cor. 11[:10]: "A woman ought to keep a covering over her head because of angels." Many Catholics give the following interpretation: "Because of angels, that is, incubi." To the same effect is Bede in the *Histories of the Angles,*[243] and William in the book *The Universe* (repeatedly in the last part of the treatise, Sec. 6 [2.3.6]). Also, the Saintly Doctor makes this determination in *First Part*, Q. 15 [actually, *Summa* 1.15.3.Ra6], and in the *Commentary on Pronouncements*, Bk. 2, Dist. 8 [*Sent.* 2.8.1.4b], and in *Quodlibet Seven*, Q. 10 [actually, 9.4.5] and in the *Commentary On Isaiah*, Chs. 13 and 34. Thomas says, "Hence, to deny such things is an act of imprudence.[244] For what most people think cannot be altogether false according to the Philosopher in *Sleep and Wakefulness* [3] at the end in Bk. 2 of *Ethics*."[245] I pass over in silence the many truthful stories of both Catholic and pagan authors, who | have 24B openly asserted that incubi exist.

The reason why demons make themselves into incubi or succubi is not for the sake of pleasure, since a spirit does not have flesh and bones, but the strongest reason is that through the fault of debauchery they may harm the nature of both aspects of man (the body and the soul), so that humans will in this way become more inclined to all faults.

There is no doubt that they know how to make seeds vigorous under certain constellations, and when people are conceived under these constellations, they are always perverted with forms of evil. Hence, after the Highest One listed the many faults of debauchery of which He wished His people to be free and in which the faithless were ensnared, He says (Lev. 18[:24]), "Do not be polluted in all the things that contaminate

[242] I.e., the plural of the Greek god Pan, who was a spirit of the countryside.
[243] Passage unknown.
[244] The words are Augustine's, actually; see 23C.
[245] Passage unknown.

the pagan nations, whom I shall cast out in front of your eyes. The earth is polluted with these things, and I shall visit vengeance upon its crimes." The gloss on the word "nations" says, "Demons. Because of their large numbers, they are called 'nations' as a totality. While they rejoice in every sin, they rejoice especially in fornication and idolatry,
24C because in these both body and soul are | besmirched, as is all mankind, which is referred to as 'earth.' For whatever sin a man commits is outside the body, but whoever fornicates commits a sin against his own body." If someone wishes to look at stories about incubi and succubi, let him examine Bede in the *Histories of the Angles* and William (as cited above) and then Thomas of Brabant in the book that is entitled *Bees*.

As for the arguments.

[RA 1] As for the first (the one about natural begetting having been instituted between the male and female by God), it is said that just as with God's permission the Sacrament of Marriage can be vitiated by the work of the Devil through acts of a sorceress, as was explained above,[246] similarly and a fortiori the same can happen in connection with any other sexual act between male and female.

If it is asked why the Devil is permitted to practice acts of sorcery in and concerning the sexual act rather than concerning other human acts, it is said that many reasons are ascribed by the Doctors, and these reasons will be treated below in the section where God's permission is discussed.[247] For the time being, the purpose discussed before is sufficient, namely that
24D the power of the demon is in the loins of humans. For in | all contests the harder battles are those in which the fighting is continuous and victory rare.

It is also not valid when it is said that in that case the work of the Devil would be stronger than that of God, since he would be able to vitiate the acts of matrimony instituted by God. For he does not vitiate through violence. Quite the contrary. Since he is able to taint nothing unless permitted to by God, his lack of power is the better conclusion from this.

[RA 2] As for the second, it is true that to beget a human is the act of a living body. When it is said that demons cannot give life because it flows in a formal sense from the soul, this again is true, but it is emitted as matter from the seed and the demon incubus can send it in with God's permission through sexual union, doing so not as if the seed were

[246] Perhaps 9A–B is meant.

[247] This topic is not in fact discussed in the formal section on God's permission in Qs. 12–18 (see 83C with n. 569, where it appears that 53B in Q. 8 is the intended reference here).

emitted by him but with another human's seed that he has taken for this purpose, as the Saintly Doctor says in *First Part*, Q. 51, Article 3 [*Summa* 1.51.3.6]. For the same demon who is a succubus in terms of the man becomes an incubus in terms of the woman. (This is also how they take up the seeds of some things for the generation of other things, | as 25A
Augustine says (*The Trinity*, Bk. 3 [3.8.9]).) Hence, if it is asked whose child one born in this way is, it is clear that it is not the child of the demon but of the man whose seed was taken.

When it is insisted that nothing is redundant in the works of angels just as this is the case in those of nature, this is granted. When it is concluded that the demon can both receive and pour in seed invisibly, this is true, but he instead does this work visibly as a succubus and incubus, so that in this way he may use a foul act like this to taint the body and soul in each person (both the man's and the woman's), as was discussed in the body[248] of the question.

Also, demons would have more invisible powers, but while they are not permitted to exercise these powers invisibly even if they wish to, they are permitted to do so visibly, for either the training of the good or the correction of the evil.

It could happen that in place of one succubus demon another one receives the seed from him and makes himself an incubus in his place. There would be three reasons for this. Perhaps the demon delegated to the woman received the seed from the other demon delegated to the man, so that in this way each would be able to practice an act of sorcery in connection with the person entrusted to him by the Prince of the Demons. | For each person has a personal angel assigned to him from 25B
among the evil ones as well. Another reason is the foulness of the act, which one demon balks at committing, since, as is explained in the following question,[249] the nobility of their nature causes certain demons to balk at committing certain actions and filthy deeds. The third reason is that the demon invisibly interposes himself next to the woman and introduces into her his own seed (the seed that the incubus took) in place of her husband's. It would not be contrary to his nature or power to effect such an act of interposing, since even in an assumed body he can interpose himself invisibly and imperceptibly in the way that was explained above with reference to the young man who become betrothed to an idol.

[248] I.e., the "response" section (see 24B).
[249] 27D–28B.

[RA 3] As for the third, the statement that the power of an angel is unbounded in respect of upper[250] things, this is, that his virtue cannot be encompassed by the lower things but always surpasses them, so that it is not restricted to just a single effect, the reason for this is that the highest among the entities have the most universal virtues, and therefore
25C it cannot be said that because of its being unbounded upwards | his virtue has the absolute power over every effect with reference to producing it, since in this way it would also be called unbounded downwards in the same way that it is upwards.

Next, there ought to be a proportionate relationship between that which acts and that upon which it acts, and there can be no such relationship between a purely spiritual substance and a bodily one. Therefore, even the demons would have the power over some effect only if some other active origin acted as an intermediary. This is why they use the seeds of things to bring about effects according to Augustine (*The Trinity*, Bk. 3). Hence, this argument boils down to the preceding one and is not strengthened by it, unless one wishes to explain why intelligences are said to have powers unbounded upwards and not downwards. This would be granted to the demon as a result of the order of bodily things and of heavenly bodies, which could in their own right have the influence to cause many, unbounded effects. This does not, however, happen because of the weakness of the lower things.[251]

It is concluded that demons can make changes in seeds (without
25D assuming bodies). This is no argument against the | interpretation given here about incubi and succubi, who practice their actions only in assumed bodies, as was discussed above.[252]

[RA 4] As for the fourth (demons cannot move bodies in location, and hence cannot move seed, either, and so on, the proof given being an argument by analogy about the soul), it should be said that it is one thing to speak about the spiritual substance of an angel or of a demon, and another to speak of the soul. The reason why the soul cannot move a body in location, unless that body is given life by the soul or by the body's contact with the other body that has not been given life, is that

[250] "Upper" makes no sense, and the passage of Aquinas adapted here (*On Evil* 16.9.Ra8) has "lower," which also seems to be presupposed in the rest of the present text that goes back to Aquinas. But whereas Aquinas argued that spiritual entities were limited in their activities upwards, but unlimited downwards, his text has apparently been (incompletely) modified here to argue the opposite.

[251] The argument seems to be that since demons cannot interact with lower beings directly, they need to use lower beings as their "intermediaries," and since these lower intermediaries are limited in their abilities, the demons are consequently limited in their effects on lower beings.

[252] 25B.

the soul holds the lowest level in the order of spiritual substances. For this reason, it also happens that the body that it has to move by contact ought to be proportionate, but this is not the case with demons, whose virtue completely surpasses bodily virtue.

[RA 5] As for the fifth, it should be said that the demon's contact with the body of the seed or with anything else at all is not a form of contact with the body but with the virtue, and this takes place in accordance with a proportionate relationship between the mover and the moved in that the body that is moved does not surpass the proportionate relationship | 26A of the demon's virtue in the way that the heavenly bodies and the earth and the elements of the world do.

As for why the latter are surpassing, we can say, as Saint Thomas does in *Questions About Evil* (Q. 10, "On Demons" [actually, 16.10.Co.]) that this is the case either because of the condition of nature or because of damnation for sin.[253] There is an order to things according to their motion, just as there is an order to them according to their nature, and the lower bodies can be moved by lower spiritual substances like demons in the same way that the higher bodies in Heaven are moved by the higher spiritual substances like good angels. Whether this happens to the demons in accordance with the condition to nature, in that according to the proposition set out by some people the demons come not from the upper angels but from those that God put in charge of the order here on earth, as the philosophers think, or if it happens as a result of the penalty for sin, as is the pronouncement of theologians, the demons have been driven out of their heavenly seats down to the air here as if to a punishment, and thus they cannot set that air or the earth into motion.

These statements | have been added because of two arguments (con- 26B cerning the heavenly bodies) that are implicitly solved. One says that the demons could move them too if they could move bodies in location since they are closer to the demons, as the last argument also alleges. If the first view is at issue, the response is that the argument is not valid because those bodies surpass the proportional relationship of their virtue. If, on the other hand, this position is not at issue but the second one is, then once again they cannot move the heavenly bodies because of the penalty for sin.

This is also relevant to the argument in which someone raises the objection that the motion of the whole and the part are the same thing,

[253] "Sin" here translates the Latin *culpa*, which is the technical ecclesiastical term for an action that constitutes the commission of a sin.

for instance that of the whole earth and a clump of dirt (*Physics*, Bk. 3), and thus if the demons could move part of the earth, they could move the earth as a whole. This is not valid, as is clear when one examines the distinction. To gather the seeds for things and to use them for certain effects does not surpass their natural virtue when God gives them permission, as is self-evident.

Let us give a summary conclusion. Certain people say that demons cannot in any way beget life in assumed bodies and that the phrase "the sons of God" signifies "the sons of Seth" and not "the incubus angels,"
26C and similarly "the daughters of men" signifies the women | whose lineage went back to Cain. Despite this claim, the contrary is claimed by many people, as is clear, and what many people think cannot be altogether false according to the Philosopher (in *Ethics*, Bk. 7 and at the end of *Sleep and Wakefulness*). Furthermore, in the present day, the deeds and words of sorceresses who really and truly carry out such acts give testimony to the contrary. Therefore, we make the following three statements. First, such demons practice the most revolting sexual acts, not for the sake of pleasure but in order to taint the soul and body of those under or on whom they lie. Second, through such an act women can conceive perfectly and give life to the extent that in the suitable part of the woman's womb the demons can apply a human seed to the proportionate matter that already exists there. This method is analogous to the way that they can also gather the seeds for other things to bring about certain effects. Third, in the begetting of such offspring, only the aspect of movement in location is ascribed to the demons but not the begetting itself, which takes its start not from the virtue of the demon or of the body assumed
26D by him, but from the virtue of the man | whose seed it was. Therefore, the child begotten is not the demon's but the other man's.

From these facts it is clear what response there is for the arguments when someone wishes to argue that demons cannot give life for two reasons. The first is that the giving of life is completed through the formative power that is in a seed released from a living body and because the body assumed by the demon is alive, therefore etc.[254] The response is obviously that the demon places the formative power of the seed in the appropriate place, and therefore etc.

Second, if it is said that the seed has the power of begetting for only as long as the heat of the soul is kept in it, but this must necessarily radiate away when carried over a great distance, the response is that for

[254] For the phrase "therefore etc." see n. 194.

the preservation of the seed the demons can set in place certain things to prevent the dissipation of the heat of life, or that the demons move very quickly because of the victory of the mover over the moved. Accordingly, dissipation will not take place so quickly.

[Note on Sources
Major identified sources for Q. 3:
Aq., *On Evil* 16.7, 9, 10; *Sent.* 2.8.1.4; *Summa* 1.51.3
Nider, *Ant Hill* 5.9; *Praec.* 1.11.7]

## question four: by which demons such practices are carried out[255]

[TT] WHETHER it is a Catholic proposition to claim that the acts 27A
of incubus and succubus demons are appropriate for all unclean spirits equally and without distinction.

[AG 1] It seems that it is, because to claim the opposite would be to affirm that there is some good order among them. This is proven on the grounds that just as restraint and order are characteristic of what is good (Augustine, *Book on the Nature of Good*), lack of order is characteristic of the concept of what is bad, and since there is nothing lacking order among the good angels, nothing can be ordered among the bad angels. Hence, they have to engage in such acts without distinction (and hence the statement in Job 10[:22]: "where no order but eternal horror dwells," that is "the land of misery and darkness").[256]

[AG 3] Also, if they do not all engage in these acts without distinction, this is suitable for them as a result of either their nature or their guilt or penalty. It is not the result of nature, because, as was mentioned in the preceding question, since the introduction of sin all their spirits are without distinction impure, though not dirty, in terms of the lessening of their natural good qualities, since they are "subtle in evil, desirous of | harming, swollen through arrogance" and so on. Therefore this is 27B
suitable for them in terms of guilt or penalty.

In that case, the argument is as follows. Where the guilt is greater, the penalty is greater; the upper angels sinned more and therefore as their

[255] The description in the table of contents (3B) agrees with the subsequent "title" at the start of the actual question rather than with this heading.

[256] No Argument 2 follows, though the discussion of Job in the "solutions" section seems to be treated as if the Job passage had been discussed as a second argument rather than within Argument 1 (see 29B–C with n. 263).

penalty they have to be more engaged in these filthy acts. If this is not so, another reason will be given for why they do not engage in those acts without distinction.

[AG 4] Also, everyone works without distinction in a situation where there is no subordination and obedience, and among the demons there is no subordination and obedience. This is proven on the grounds that subordination and obedience cannot be maintained without harmony, but among the demons there is no harmony (Proverbs 13[:10]: "Among the arrogant there are always quarrels").

[AG 5] Also, because of guilt they are held in the misty air for the sake of their duty[257] before the Day of Judgment in the same way that they will all be equally cast down into Hell after that day. Since no passage anywhere says that there is any inequality in terms of their imprisonment, there is also no inequality in terms of duty and temptation.

[SC 1] But to the contrary, the gloss on 1 Corinthians 15[:40] says: "As long as the world lasts, angels are in charge of angels, men in charge of men, demons in charge of demons."

27C [SC 2] Also, Job 41[:6–8] speaks of the scales of Leviathan, | and by this the limbs of the Devil are meant because one clings to another. Therefore, there is a difference among them both of order and action.

The incidental question is raised as to whether the good angels sometimes impede the demons from carrying out their filthy acts or not. It should be said that because the angels are called powers to whose jurisdiction the hostile virtues are subordinate, as is said by Gregory [*Homily on the Gospels* 2.34.10] and Augustine (*The Trinity* 3[3.4]: "The spirit of life that is a deserter and sinner is ruled by the spirit of life that is rational, pious and just."), and just as those creatures that are more perfect and closer to God have influence over the others, since the entire order of precedence is at first and originally in God and all creatures participate in it according to their greater proximity to Him, therefore the good angels, who come closest to God, do have precedence over the demons because of their enjoyment of God that the demons lack, and the demons are ruled by them.

When it is insisted that demons do many evil things through the means mentioned above, and therefore either they are not impeded
27D because they are not subject to good angels who could impede them | or if they are subject, then since the evil acts that are committed by the subjects seem to imply carelessness on the part of the ruler, it seems that

[257] I.e., the demons have been assigned the "job" of tempting and harassing humans until the Day of Judgment.

there is some carelessness among the good angels, the response is that the holy angels are the servants of God's wisdom, and hence the good angels do not entirely restrain the evil entities, whether angels or humans, from committing harm in the same way that God's wisdom permits certain evil acts to be committed by bad angels or humans because of the good things that He elicits from them.

[CO] Response. It is a Catholic proposition to claim that among demons there is a certain order of internal and external acts, and that this is in fact created by a certain ranking of precedence. Hence, certain very low demons do perpetrate some filthy acts from which the higher ones are excluded because of the nobility of their nature. This is first explained in general terms on the basis of the threefold appropriateness that makes such acts appropriate for their nature, God's wisdom and their particular evil, and then it is explained specifically on the basis of nature.

It is agreed that from the beginning of creation some have always been superior to others by nature, since they differ among themselves in kind, | and no two angels of a single kind exist, according to the more common 28A
view. This view does accord with the words of the philosophers and of Dionysius, who maintains (*The Heavenly Hierarchy*, Ch. 10 [10.2]) that the first, middle and last belong to the same order. We are obliged to agree with this both because of their non-material nature and also because of their lack of physical body. Let anyone who wishes to examine the words of the Doctor in the *Commentary on Pronouncements*, Bk. 2, Dist. 3 [*Sent.* 2.3.1.4.Co.]. Because sin cannot change nature and the demons did not lose their natural gifts after the fall, as was discussed above,[258] and their workings on things follow the natural conditions of those things, they are various and manifold in their workings, just as they are in nature.

It is also in accordance with God's wisdom that those things that have been ordained by God exist (Romans 13[:1]: "the things that are from God are set in order").[259] Because the demons have been delegated by God to train humans and to punish the damned, in their acts of training humans from without, they are varied and adopt many forms with reference to humans.

It is also in accordance with their evil. Since they oppose the human race, when they attack it in an orderly manner, | they think that they 28B
cause humans more harm, as in fact they do.

[258] 22C.

[259] This is how one would take the sentence as quoted by the scholastics. It means something rather different if read in context.

Hence, it is agreed that they engage in those most unspeakably filthy acts on an unequal basis. This can be stated even more definitely by the following reasoning. Since the working of a thing follows its nature, as has been said, it is fitting that the workings of all those whose nature is subordinate should also be subordinate to one another, as is clearly the case with bodily objects. Since the lower bodies are, by the natural order, below the heavenly bodies, their actions and motions are subordinated to the actions and motions of the heavenly bodies, and because, as has been said, the demons differ among themselves by the natural order, for this reason they also differ in natural actions, both internal and external, especially in carrying out filthy acts of this kind.

From these facts, it is concluded that because filthy acts of this kind are mostly carried out in violation of the nobility of the angels' nature, since among human acts these acts are held to be very low and most foul when considered in their own right, and not in regards to the duty of nature and procreation, and also because some demons are believed to have fallen out of every order,[260] it is not inappropriate to claim that those
28C demons who are from the lowest choir and also | those who are lowest in it are delegated by the others to perform and engage in these filthy acts. It should be especially noted that although Scripture speaks of women plagued by incubi and succubi, nowhere does it say that when they made themselves incubi and succubi demons, they committed wrong in connection with any vices that are contrary to nature. This refers not only to the vice of sodomy but to any other vice outside of the proper receptacle. This shows the huge enormity of such sinful acts, since without distinction all demons of any rank shun the commission of them and consider it shameful. This seems to be the meaning of the gloss on Ezechiel 16[:27], where it says, "I will give you into the hands of the Philistines,[261] that is, of the demons who even blush at your criminal path." The gloss understands a vice against nature, and to anyone who looks it is clear what the authority understands regarding demons. For in connection with many people God has condemned no sin so often with the death of damnation. Some also say – and it is true to believe it – that no one possessing such a fault who persists in it beyond the length of
28D Christ's mortal life, which | reached the age of thirty-three, can be freed except by the specific Grace of the Redeemer. This is clear from the fact that men of eighty or one hundred years are often found ensnared in that crime, and since the period of Christ's life provided the discipline for

[260] I.e., hierarchical rankings among the angels (see Pt. II, n. 489).
[261] Actually, "... into the hands of the Philistine daughters who hate you."

their character, once they have spurned Him, His discipline will scarcely ever restrain them from committing this crime without the very greatest difficulty.

Their names also show that there in fact is order among them for the purpose of their external duties involving harassment. Although one single name ("the Devil") is expressed in many ways in the Scriptures (because of their divergent characteristics), nonetheless it is the tradition of the Scriptures that a single one presides over these dirty works in the same way that a single one oversees certain other vices. For it is the practice of Scripture and of regular speech to name any unclean spirit "devil" ("diabolus") from "*dya*," that is, "two," and "*bolus*," that is, "morsel," because he kills two things, the body and the soul. This accords with the etymology, though in Greek "diabolus" means "closed in a prison," (and this is appropriate for him because he is not allowed to cause harm to the extent that he would wish to), or as if "diabolus" means
| "down flowing," because he "flowed down," that is, he fell in kind and 29A
in location.[262] He is also named "demon," that is, "knowledgeable about blood," or "bloody," namely with reference to the sins that he thirsts after and causes with the three sorts of knowledge in which he is proficient (the subtlety of his nature, his experience of different times and the revelation of good spirits). He is also named "Belial," which is translated as "without yoke," or "without lordship," because he struggles to the best of his ability against the One to Whom he ought to be subordinate. He is also called "Beelzebub," which is translated as "man of flies," that is, "of the sinning souls" that abandoned the true bridegroom, Christ. Also, "Satan," that is, "opponent" (hence, in 1 Peter 5[: 8] "Your opponent, the Devil, goes around . . . "). Also, "Behemoth," that is, "beast," because he makes humans beasts. Nonetheless, as the demon of fornication and the prince of that filthy act he is called "Asmodaeus," which is translated as "making of judgment," because a terrible judgment was made on Sodom and four other cities on account of such vice. Similarly the demon of arrogance is called "Leviathan," which is translated as "their addition," because | when he tempted the first ancestors to arrogance, 29B
Lucifer promised them the addition of divinity. About him the Lord also spoke through Isaiah (27[:1]), "I shall punish the Leviathan, the old and contorted snake." The demon of greed and wealth is called

[262] All of these etymologies are false. "Diabolus" in Greek means "slanderer" (literally, someone who sets people at variance with each other) and was used in the Septuagint Greek translation of the Bible to render the Hebrew "Satan," which is in origin not a name but a common noun whose sense is indicated by the Greek translation.

"Mammon," and Christ also mentioned him in a Gospel (Matt. 6[:24]: "You are unable to serve God . . . ".

As for the arguments.

[RA 1] As for the first, because good can be found without evil but evil is never found without good, since it is poured over a creation that is inherently good, therefore to the extent that demons have a good nature, they are in order with regards to both their natural gifts and their actions.

[RA 2] As for the passage in Job 10, it can be said that demons are delegated to train humans not in Hell but in this misty air, and hence they have an order among themselves here, which they will not have later in Hell.[263] Or it can also be said that even now all order ceases among them in terms of acquiring this blessedness, since they have irretrievably fallen from such order. It can also be said that even in Hell there will be an order consisting of authority and the infliction of penalties, to the
29C extent that | some and not others will be delegated to afflict souls, but like their torments this will be an order imposed by God rather than by themselves.

[RA 3] As for the third (the one in which it is said that because they have sinned more and are being punished more, the higher demons ought to engage in these dirty acts more), the response is that because guilt is put in order by the penalty and not by the act or working of nature, their failure to engage in these dirty acts results from their nobility of nature and not from their guilt or punishment. Although they are all impure spirits that are desirous of causing harm, a given one is more so than another to the extent that his greater natural gifts have been shrouded in darkness.

[RA 4] As for the fourth, it is said that among demons there is a harmony that relates not to friendship but to the wickedness that causes them to hate humans and rebel against God's justice as far as they can. For among the impious is found a kind of harmony by which they attach and subordinate themselves to those whom they perceive to be more powerful in order to carry out their own wickedness.

[RA 5] As for the fifth, although imprisonment is assigned to them
29D on an equal basis at the present time in the air | and in the future in Hell, nonetheless natural gifts are not for this reason ordained among

[263] There is no indication in the text to mark Counter-argument 2, and likewise there is no mark of Argument 2 in 27A. Later editions emended the text to mark out this paragraph as the missing second counter-argument. Perhaps there was an intention to make the argument concerning the Job passage a second argument but this intention was not fully implemented. Conceivably the erroneous numbering is the result of inadequate adaptation of an unknown intermediate source.

them on an equal basis for the purpose of making the punishments and duties equal. Rather, the more noble they are in nature and powerful in duty, the more severe is the torment to which they are subject. Hence Wisdom 6[:7]:[264] "The powerful shall suffer torments powerfully."[265]

[Note on Sources
Major identified sources for Q. 4:
Aq., *Sent.* 2.6.1, 4
*Summa* 1.10.9.2]

### there is, therefore, a question about the influences of the heavenly bodies, in which three other errors are refuted, and this is question five

For a fuller explanation of the foregoing, it is also necessary to counter certain objections that are raised. The question concerns five sorts of explanations for the works of sorcerers. There is a refutation of four of these explanations, on the basis of which they cannot have influence, and a conclusion about the fifth, the virtue of the intellect, on the basis of which they are able to have an influence (although good by nature, this virtue is evil by inclination).[266] The four explanations are refuted as a rebuttal of those who deny the existence of both sorceresses and their works, and these explanations are the influences of the heavenly bodies, the movers of those bodies and orbs, the growing evil of humans, and the effectiveness of images, characters and words.[267]

[264] See n. 11.

[265] Quoted by Aquinas (*Summa* 1.2.73.10.SC), but with reference to sinners in general rather than demons in particular.

[266] The phrases "they cannot have influence/they have influence" are rather unclear. The subject is apparently the "works of sorceresses," and the argument of this question seems to suggest that the sense of "have influence" is really nothing more than "arise." The Latin expression "influence" literally means "flowing in," and it would seem that here the sense of "influence" is not that of an external factor causing some outcome (that is, the "influence" of the celestial bodies referred to frequently in this question) but instead signifies the idea that the evil works of sorceresses are "imported" as it were by the malignant interference of demons in human behavior.

[267] The four topics laid out here are treated in due order in the "response" section: 1) heavenly bodies in 31C–34D, 2) the movers of them in 34D–35D, 3) growing evil in 36A–37A, and 4) the efficacy of images etc. in 37A–D, but the formulation of the question follows a different conception. While the initial title and arguments concern the issue of whether the increase in sorcery is to be ascribed to the heavenly bodies or increasing human evil, rather than to demons, the heading that precedes the introductory paragraph refers only to topic (1) and the three errors that are rebutted in it (as noted in 31C). The fourfold scheme laid out here is developed only in

30A [TT] WHETHER A CATHOLIC CAN in any way hold the view that the origin and increase in number of sorcerers' works derives from the influences of the heavenly bodies or from the superabundant evil of humans, and not from the filthy acts of incubus and succubus demons.

[AG 1] It seems that it derives from humans' own evil. For Augustine says in the *Book of Eighty-Three Questions* [4] that the cause of man's depravity goes back to his will, whether this will has been rendered depraved at someone's urging or at no one's. The sorcerer is rendered depraved by sin, and therefore the cause of it is not the Devil but human will. To the same effect, he says about free will that everyone is the cause of his own evil. This is proven by reason, too. A human's sin derives from free will, but the Devil cannot impel free will. For this would contradict freedom. Therefore, the Devil cannot be the cause of that or any other sin.

[AG 2] Also, in the book *Ecclesiastical Dogmas* [82] it says, "Not all our evil thoughts are set in motion by the Devil, but sometimes they arise from the impetus of our will."

[AG 3] Next, it is proven as follows that they can come from the influ-
30B ences of the heavenly bodies and not from demons. | Every multiform phenomenon goes back to some uniform beginning in the same way that every aggregate group goes back to one individual. Human acts are various and multiform in terms of both vices and virtues. Therefore, it seems that the impellers and the impelled go back to some beginning in a uniform manner. Such a beginning can be ascribed only to the motions of the heavenly bodies, which are uniform. Therefore, these bodies are the causes of such actions.

[AG 4] Also, if heavenly bodies were not the cause of human actions in terms of virtues and vices, astrologers would not so often foretell the truth about the outcomes of wars and other human acts. Therefore, they are in some way the cause.

[AG 5] Also, heavenly bodies are moved by spiritual substances according to all theologians and philosophers, and those spirits are above our souls in the same way that the heavenly bodies are above our bodies. Therefore, both are able at the same time to make an impression on a man's soul and body in order to cause any human acts.

the "response" section, which covers rather more than the heading, title and initial arguments suggest, and perhaps the easiest explanation is that this introduction was added once it was realized that the "response" covered more issues than were originally intended, but the overall framework of the question was left modified in its original, narrower conception. In any case, this introduction certainly must have caused confusion among early-modern readers, as it was omitted in later editions.

[AG 6] Also, heavenly bodies can make an impression | on the demons 30C
themselves in order to cause certain acts of sorcery, and therefore a fortiori on humans themselves. This claim is proven on three grounds.

[AG 6A] First, certain humans that are called lunatics are possessed by demons at one time more than another, and the demons would not do this but instead would harass them all the time, if it were not the case that at certain phases of the moon the demons themselves are disturbed in such a way as to make them inflict harm of this kind.

[AG 6B] This is also proven from the case of nigromantics, who watch for certain configurations of stars in order to invoke demons, which they would not do if they did not know that those demons were subject to the heavenly bodies. It is also proven from the fact that according to Augustine (*City of God*, Bk. 10 [10.11]), demons are warded off by certain lower bodies, namely plants, stones, living beings and certain specific sounds, words and drawings. Since heavenly bodies are endowed with greater virtue than are lower bodies, the latter are all the more warded off by the actions of heavenly bodies. Sorcerers, in turn, are even further subordinated, so that their works derive from the influences of those bodies and not from the assistance of evil spirits.

[AG 6C] This | argument is strengthened on the basis of 1 Sam. 16[:23], 30D
where Saul, who was being harassed by a demon, was given relief when David plucked a lyre in his presence and the evil spirit left.

[SC 1] But the contrary is the case. It is impossible to bring about an effect without its cause, and the works of sorcerers are such that they can happen only through the work of demons. This is clear from the description of the works of sorcerers in Isidore (*Etymologies*, Bk. 8 [8.9.9]): "They are called sorcerers ["*malefici*" or "evildoers"] because of the enormity of their misdeeds. For they stir up the elements, throw the minds of men into confusion, and without the drinking of any poison and merely through the force of their chants kill souls . . . " Such effects cannot be caused on the basis of the influences of heavenly bodies through the mediation of a human.

[SC 2] Also, in [*Eudemian*] *Ethics* [8.2] the Philosopher examines with difficulty the question of what the start of the working in the soul is, and shows that it ought to be something external. For everything that starts from scratch has some cause. A human begins to work because he wishes to, and he begins to wish to because he is won over in advance. If he is won over in advance because of some | pre-existing plan, therefore 31A
either this means going on without end or it is appropriate to posit some external start that first impels the human to adopt the plan, unless

perchance someone says that this is the result of chance, from which it would follow that all human acts are fortuitous, which is ridiculous. Therefore, he says that in the case of good acts the start of good actions is God, Who is not the cause of sin. On the other hand, in the case of bad acts, when a human begins to wish to act and is won over for sinning, it is appropriate that there should also be some external cause for this, and there can be no other cause but the Devil, especially in the case of sorcerers, as was explained above,[268] because a heavenly body cannot have an influence to cause such actions. Therefore, the truth is clear.

[SC 3] Also, the motion that is caused by the moving force is also subject to the power of the one to whose power the moving force is itself subject. The moving force of the will is something grasped by sense or by intellect, both of which are subject to the power of the Devil. For Augustine says in the *Book of Eighty-Three Questions* [12], "This evil," namely what comes from the Devil, "creeps in through all the avenues of sensing. It allows itself to take shapes, it adorns itself in colors, it
31B clings to sounds, it lurks in anger and in the lying | of conversation, it subordinates itself to smells, it suffuses itself with flavors and fills all the paths of intelligence with certain clouds." Therefore, it seems that it is in the power of the Devil to set the will in motion, which is directly the cause of sin.

[SC 4] Also, everything that relates to one of two courses needs some determining factor for that which results in action. A human's free will relates to one of two courses, that is, to good and evil. Therefore, for that which results in the act of sin it needs to be determined towards evil by someone, and it seems that this is done most of all by the Devil, especially in connection with the works of sorcerers, since his will is determined towards evil. Therefore, it seems that the Devil's evil will is the cause of an evil will, especially in the case of sorcerers. This reasoning can be strengthened by the consideration that an evil angel relates to evil as a good angel relates to good. While the latter leads humans to good, the former leads them to evil. "For it is," as Dionysius says [*Heavenly Hierarchy* 4.3], "an immovably fixed law of the Divinity that the lowest things should be completed by the highest."

[CO] Response. Because the question as to the origin of the works of
31C sorcerers is based upon | the influence of the luminous bodies of Heaven, it is shown that this is not possible through the refutation of the three

[268] I.e., in SC 1.

errors (those of astrologers, casters of horoscopes, and the people who posit an order of fated events) that attempt to make this claim.[269]

As to the first. If it is asked whether the vice of sorcerers is caused in humans as a result of the impression of the luminous bodies in Heaven, then while paying attention to the diversity of character and preserving the truth of the Faith, it is appropriate to pursue the discussion under the distinction that the idea that the character of humans is caused by the constellations can be understood in two ways. Either it is a necessary and sufficient cause or a conditional one that gives a tendency. If the first is stated, then this is not only false but heretical, because it is so contrary to the Christian religion that the truth of the Faith cannot even be saved amid such an error.

Explanation. Everything happens obligatorily because of the constellations, it destroys merit and consequently demerit. In addition, because respectability in character is predetermined on the basis of this error in that the guilt of the sinner devolves upon the constellations, | licence to 31D commit evil without censure is granted, and man is compelled to pray to and worship the constellations. If, on the other hand, one says that the character of humans is varied by the dispositions of the constellations in a conditional way that creates a tendency, then this can be true, since it is contrary neither to reason nor to the Faith. For it is clear that the varying disposition of the body greatly contributes to the variation of the desires and character of the soul. For the most part, the soul very much imitates the temperaments[270] of the body, as is said in *Six Principles*, and for this reason, the choleric are prone to anger, the sanguine are generous, the melancholic are envious and the phlegmatic are indolent. This is not necessarily so, however. For the soul is the master of its body, especially when it is helped by Grace. For we see that many choleric people are mild, and melancholic ones generous. Since, therefore, the virtue of the heavenly bodies works the admixture and constitution of the temperaments, it is the case that as a consequence it in some way works upon the nature of character, though from a great distance. For | the 32A virtue of the lower nature has more effect on the constitution of the temperament than does the virtue of a constellation. Hence, in solving a certain question about two brothers who would get sick and be cured at

[269] The rebuttal of these three views is mentioned in the heading to the question and forms the substance of the discussion of topic one (influence of the heavenly bodies) in the introductory paragraph (29D).

[270] "Temperament" is used to translate *complexio*, which refers to the sort of personality or disposition that results from the mixture in a given person of the humors of bile, black bile, blood and phlegm.

the same time, Augustine (*City of God*, Bk. 5 [5.5]) commends the reasoning of Hippocrates rather than that of the astrologer. For Hippocrates answered that this happened because of a similarity of temperament, and the astrologer answered that it happened because of an identical configuration of stars. The physician gave a better explanation since the reason he gave was more specific and direct. Therefore, one should say that the impressions of the constellations in some way give a disposition towards the evil of sorcerers, since there predominates in their bodies a certain influence towards such unspeakable acts rather than towards any other works, whether sinful or virtuous, though this disposition ought not to be called obligatory, proximate and sufficient but removed and conditional.

It is invalid if someone raises as an objection the passage of the Philosopher in his book *The Properties of Elements*,[271] where he says that kingdoms have been emptied and lands depopulated at the conjunction of
32B Jupiter and Saturn, arguing as if it were the case that, |because such things depended upon the free will of humans, the influences of the luminous bodies in Heaven also had an effect on free will. The response is that the Philosopher does not wish to imply by this statement that those people were unable to resist that configuration of stars, which caused a tendency towards disagreement, but acted in this way because they did not wish to resist it, since, as Ptolemy says in the *Almagest*, the wise man will be master of the stars.[272] For although the conjunction of Jupiter and Saturn could incline humans to quarreling or discord, since Saturn has an evil and melancholy influence, and Jupiter has a very good one, humans are nonetheless able to resist that inclination by free will – very easily with the help of the Grace of God.

Again, it is not valid if someone raises as an objection the statement of John of Damascus (Bk. 2, Ch. 6 [actually, *Exposition of the Orthodox Faith* 2.7]), where he says, "Many times comets and certain tokens of the death of kings are established." For the answer is that whether or not one follows the view of John of Damascus, who had, as is clear in the aforementioned book, a view contrary to the philosophical path, no conclusion is reached thereby with reference to the necessity of human
32C acts. For John of Damascus' view is that a comet neither is naturally | generated nor is one of the stars placed in the firmament, and hence neither its meaning nor its influence is natural. For he says that comets

[271] A work falsely ascribed to Aristotle; the passage cited is unknown.

[272] This phrase was commonly attributed to Ptolemy, but it does not appear in the *Almagest* and its ultimate origin is unknown (the citation here derives from Aquinas).

do not belong to the group of stars created in the beginning, but by divine command are established in accord with the specific occasion and are again dissipated. This is John of Damascus' view. Furthermore, God uses such a sign to foreshadow the death of a king rather than those of other people, both because the king's person is of general import, and because a disturbance of the kingdom can arise from this event. The angels are more concerned about guarding the kingdom for the sake of the common good, and by their assistance comets are both created and dissipated.

Nor is any obstacle furnished by the view of the philosophers, who say that a comet star is a warm, dry impression made in the upper part of the air because of fire, and that the body of the star appears unitary as a result of the fire's warm and dry heat and the circle made by that heat. Furthermore, parts of that heat, being scattered around the circle and extending far off, are connected to the circle at their ends as its hair, and according to this theory it signifies and causes, not by itself but as an incidental result, a fatal condition that derives from hot and dry illnesses. | Since, as is often the case, rich men are nourished by warm, 32D
dry food, therefore at such a time many rich men die, and among them the death of kings and princes is more noticeable.

Neither does this theory differ from that of John of Damascus, if one considers it carefully, except in regards to the working and co-operation of the angel, which not even the philosophers can rule out. Rather, while the vapors of heat did not co-operate towards the creation of the comet in their dryness and warmth, they would still often have to co-operate with the aforementioned reasons through the working of an angel, just like the star that signified the passing away of St. Thomas, which certainly did not jump forth from the upper stars placed in the firmament, but was formed from some pre-existing material through the working of an angel and was again dissipated once its task was completed.[273]

Hence, we see that according to none of those views do the luminous bodies of Heaven have any dominion at all over free will, and therefore by consequence neither do they have any over the evil and the habits of humans.

Note also why the astrologers so often foretell the truth and that their judgments turn out, as is very often the case, to be correct about a single province or | the people of a single land. There is an explanation for 33A

[273] According to the addition to *Golden Legend* 214, Aquinas died at the Cistercian monastery of Nova Fossa while journeying to a general council being held at Lyon, and thirty days before his death there appeared above that monastery a comet, which then disappeared upon his death.

this. Because they take their judgments from the stars, which also have a greater influence (understanding the influence to be more probable, not causal) in connection with acts of nature than those of the will and more in connection with the general acts of humans, such as those of a single people or province, than in connection with the specific acts of a single person, because a greater impression from the stars is made on the entirety of a single people than on a single individual and because the majority of a single people follows the natural desires of the body more than does a single individual, therefore and so on. (This has been a tangential discussion.)

The second way by which this Catholic claim of ours is explained is through refuting the errors of horoscope casters and those astrologers who worship the goddess of fortune.[274] About them Isidore says (*Etymologies* 9 [actually, 8.9.23–24]: "They are called horoscope casters ["*genetaliaci*"] because of their consideration of the birth stars, but are commonly called astrologers ["*mathematici*"]." "Fortune," as he says in the same book (Ch. 2 [actually, 8.11.94]), "is said to derive its name from fortuitous events as if it were some goddess who plays games with human
33B affairs through various happenstances and fortuitous events. | Hence, they also call her blind, because she bumps indiscriminately into random people and comes to both the good and the bad without any consideration of their deserts." But just as it is idolatry to believe in such a goddess or to believe that the harm to bodies or creatures that is inflicted as a result of the works of sorcerers derives not from the sorcerers themselves but from this goddess of fortune, so too is it alien not only to the Faith but even to the common tradition of the philosophers to claim that these sorceresses were born in order that such practices can be carried out by them in the world. If someone wishes to, let him examine the Saintly Doctor (*Summa Against the Gentiles* Bk. 3, Q. 87 and the following ones) and he will find more discussion. For the sake of those who perhaps have no access to books it seems that the following point should not be omitted. As is noted in that passage, there are in man three things that are guided by three heavenly causes, namely the act of the will, the act of the intellect and the act of the body, and of them the first alone is guided directly by God, the second by an angel, and the third by a heavenly body. For the choices and decisions of the
33C will | are guided directly by God in connection with good works, as the

[274] This is somewhat misleading, as this section actually concerns the refutation of the horoscope casters, the second topic laid out in 31C. The third refutation (of the proponents of fate) follows in 33D–34D.

Scripture says: "The heart of the king," understand: the greater the force with which he seems to be able to resist, the more unable are the others to resist, because it "is in the hand of the Lord and He will incline it wherever He will wish to" (Proverbs 21:1). And the Apostle says: "It is God who brings about in you the wish and the completion in good will" [Philippians 2:13].

On the other hand, human intellectual knowledge is set in order by God with angels acting as intermediaries, while those things coming for the benefit of man that pertain to the bodily aspects, whether external or internal, are distributed by God through the intervention of angels and heavenly bodies. For St. Dionysius says (*Divine Names*, Bk. 4 [4.4]) that heavenly bodies are the causes of the things that happen in the world, though they bring no obligation. Since man is set in order under the heavenly bodies in terms of his body, and under that of the angels in terms of his intellect, but under God in terms of his will, it can happen that after spurning God's inspiration to good and the good angel's enlightenment, man is led by bodily desire towards those things to which the influences | 33D
of the luminous bodies of heaven incline him, with the result that in this way both will and intellect are wrapped up in evil and errors. Moreover, it is not possible to be wrapped up in such errors as the ones in which the sorcerers are ensnared as a result of the influences of the luminous bodies of heaven, though a weak person could be inclined to shed blood or to commit acts of thievery or to brigandry or even to the worst acts of sexual licentiousness, just as he could also be inclined to certain other natural acts. Also, as William says in *The Universe* – this can be grasped through experience – if a prostitute strives to plant an olive tree, it is not rendered fruitful, but if it is planted by a chaste woman, it is.[275] Also, a doctor in healing or a farmer in planting or a soldier in attacking a town achieves as a result of the impression of a heavenly body things that others having the same arts cannot achieve.

The third way is taken from the refutation of the effects of fate.[276] Here it should be noted that to claim in one manner that fate exists is a Catholic proposition, and to claim this in another manner is altogether heretical. If it is thought that fate exists according to the position of certain | pagans and of certain astrologers, who thought that a difference 34A
in character is invariably caused as a result of the force of the position of the constellations, so that such a person would be necessarily rendered a sorcerer ["evil-doer"] or a person virtuous in character because he was

[275] Passage unknown.
[276] This is the third view to be rebutted, as laid out in 31C.

caused to be such by the force that was contained in the arrangement of the constellations under which he was conceived or born. This force they called "fate." But because this view is not only false but also heretical and altogether accursed because of the inappropriate notions that necessarily follow, as was mentioned above in the refutation of the first error, in that the system of merit and demerit, or rather of Grace and glory, would be destroyed, and because God would be responsible for our evils and many other reasons, accordingly, fate is altogether refuted as being non-existent. According to this understanding Gregory says in the *Homily on Epiphany* [*Homily on the Gospels* 1.10]: "Far be it from the hearts of the faithful to say that there is such a thing as fate." Although this view seems to be the same as the first, which is that of the astrologers, (because of
34B the same inappropriate notions that can be seen in each), | nonetheless they are different in that the force of the constellations and the general influence of the seven planets[277] are distinguished from one another. If, on the other hand, it is considered that fate is a certain arrangement or ordering of secondary causes intended to produce certain effects for which provision has been made by God, in this way there is such a thing as fate, because the providence of God achieves its effects through intermediate causes, that is, in connection with those things that are subject to secondary causes, though not in connection with other things like creation, the glorification of souls and the bestowal of Grace. Still, angels can also co-operate towards the infusion of Grace by enlightening and arranging the intellect and the capability of the will, and in this way a certain ordering of effects is called one and the same thing as providence or even fate. For if this ordering of effects is considered to reside in God, as it does, then in this way it is called providence. If it is in the intermediate causes set in order by God to produce certain effects, then in this way it contains the notion of fate. Thus, Boethius says in speaking of fate (*Consolation*, Bk. 4 [4.6]), "Fate is an arrangement, inherent in
34C moveable things, by which providence | binds together individual events with its own orderings." Nonetheless, the Holy Doctors refrained from using this term because of those men who twisted it to mean the force of the positioning of the constellations. Hence, Augustine says, "If anyone ascribes human affairs to fate because he calls the very will or power of God fate, let him restrain his thought and correct his tongue" (*City of God*, Bk. 5 [5.1]).

[277] I.e., the five planets visible to the naked eye (Mars, Mercury, Venus, Jupiter, Saturn) plus the sun and moon.

It is also clear that the foregoing discussion provides the implicit response to the question of whether all things are subject to fate and whether the works of sorcerers are also subject to it. If fate is considered to be the arrangement of secondary causes for effects provided for by God, that is, when God has made a disposition to produce such effects through secondary causes, in this way, I say, they are subject to fate, that is, they are subject to the secondary causes that have been set in order by God, like the influences of the heavenly bodies. On the other hand, those things that are done directly by God, like the creation of the world, the glorification of spiritual substances and the like, are not subject to fate. This is what Boethius means when he says (cited above), that those things that are close to the godhead, which is first, surpass the moveable order of fate. Hence, | because the works of sorcerers are not subordinate 34D
to secondary causes, since such things happen in a manner surpassing the general course and order of nature, they are not by necessity subject either to fate or to other causes in terms of their origin.

Consequently, such acts of sorcerers cannot arise or be caused by the disembodied substances that are the movers of the orbs (the heavenly bodies).[278] Avicenna [*The Soul* 4.4.64] and his followers adhered to this view, being motivated by the following reasoning. Those disembodied substances are characterized by a higher virtue than our souls, and when it is strong in its imagination, the soul by itself, at the mere internal apprehension concerning something external, changes sometimes its own body and sometimes someone else's (an external) body. For example, a person walking on a plank placed over the deep readily falls because he imagines his fall as a result of fear, but he would not fall if that plank were placed on the ground, where he could not fear falling. Similarly, at the mere apprehension | of the soul the body grows warm, as 35A
in the case of people feeling lust or anger, or it also grows cold, as in the case of those in fear. It can also be turned to illness, say fever or leprosy, as a result of a strong imagination and the fear of such illnesses. It is the case with another's body, just as it is with its own, that that body can be changed towards illness or health. He also cites the case of giving the evil eye, which was mentioned above. Because according to that position the effects of sorceresses would have to be ascribed to the movers of the orbs (though not specifically to the heavenly bodies themselves), accordingly

[278] This is the start of the second topic mentioned in the introductory paragraph (29D). The "disembodied substances" are the angels that were thought to move the orbs (spheres) to which the various celestial bodies were attached and whose bodies revolve around the earth.

let us say, in addition to the statements made in that passage, that it is impossible for such things to happen in this way. For while the movers of the orbs are substances that are good and intellectual not so much by nature as by will, as is clear from their workings for the good of the whole universe, that creation by whose help the magical workings take place, though good by nature, cannot be good by will, and therefore there cannot be the same judgment about both substances. That such a
35B substance cannot be good by will is proven as follows. | To lend patronage to some of the things that are contrary to virtue is not the mark of a well disposed intellect, and such things are done in sorcerers' workings of this sort. For, as will become clear in the Part Two of the work, very many murders, acts of fornication, and the killings of children and of work animals are committed and other such evil acts [*maleficia*, which means both "evil deeds" and "acts of sorcery"] are produced. Hence, those who use these arts are called evil-doers [*malefici*, which also means "sorcerers"]. Therefore, such an intellectual nature, on whose help the arts of sorceresses rely, is not well disposed by its virtue, though it is good by nature, since it can be so and all things desire this, as is clear to anyone who examines the topic.

Likewise, it is not the mark of a well disposed intellect to be friendly to criminals and to lend protection to them and not to any people who are virtuous, and those who make use of such works of sorcerers are criminals, because they are known from their fruits.[279] In addition, with the help of the substances that move the orbs any creature can be inclined to the good by nature, though it is often corrupted inci-
35C dentally.[280] Therefore, those substances cannot be | the original cause of sorceresses.

Also, it is the mark of a well disposed intellect to restore people to those goods that are specific to man, these being the goods pertaining to reason. Therefore, to lead humans away from those goods and to drag them to other, very low goods is the mark of an inappropriately disposed intellect. Furthermore, through arts of this kind people make no progress in the goods of reason, which are forms of knowledge and virtues, but they do make progress in certain very low goods, such as seizures and the practices of brigands and a thousand varieties of harm.[281] Therefore,

[279] Reference to Matt. 7:20.

[280] Literally "accidentally," an "accident" being a term in medieval philosophy for a characteristic that is incidental to an entity and not an essential characteristic of it.

[281] This final clause is a distortion of Aquinas, who speaks of the use of magical arts for "the discovery of thefts, the arrest of brigands and the like" (*Summa against the Gentiles* 3.106.4).

the origin derives not from the disembodied substances but from some other force that is not well disposed by virtue.

Also, the one who is called upon to bring help to someone through the commission of certain crimes is not well disposed in intellect, and this is what happens in connection with the arts of sorcerers (as will be explained,[282] in carrying out these arts they renounce the Faith and kill innocent children). For on account of their goodness the disembodied substances that are the movers of the orbs do not lend assistance to these acts of sorcery.

In conclusion, arts of this kind cannot arise from the movers of the heavenly bodies, just as they are unable to do so from the heavenly bodies themselves, | and since they must arise from some virtue bestowed on 35D
some creature, and that virtue cannot be good by will (though it is good by nature), and such creatures are the demons themselves, what remains is the idea that such things happen through the virtue of demons. Unless perchance some obstacle is still furnished by the frivolous view that, as a result of the co-operation of the evil of humans with the threatening words of the sorcerers and with the placement of images in a specific location, works follow through some virtue of the stars. For example, when a sorcerer says while placing some image, "I will make you[283] blind" or "lame" and this results, then in that case this result would happen because such a person would, as a result of his nativity, receive from the virtue of the stars such a virtue more than do other humans, and however much other people may utter the same words and be instructed in doing so through training, they still could not be effective in works of this kind.[284]

In a one-by-one response to these points, it will be explained, first, that such effects cannot be caused as a result of the evil of humans, and, second, that neither can they be caused as a result of the words of any humans | with the co-operation of any configuration of stars, even in 36A
conjunction with images.

First, it is explained in the following way that sorcerers' works of this kind cannot arise from any amount of human evil.[285] Man's

The author has converted his reference to the "moral" use of magic into one about uses of it for evil purposes.

[282] Pt. II, Q. 1, Ch. 2 (95D–98B).

[283] Referring to a female.

[284] Here the word "nativity" is a technical term from astrology, signifying the character that person acquires as a result of the configuration of the stars at the time of his birth.

[285] This is the third topic laid out in the introductory paragraph (29D).

evil – whether it is habitual, in that, as a result of repeated acts and not as a result of ignorance or weakness, someone acquires a habit inclining to the commission of sins (accordingly, he is considered to sin as a result of evil), or the evil is actual, which is the name for the selection of the evil act (this selection also being considered a sin against the Holy Spirit) – can never have such an effect on the sorcerer himself that such deeds as changes in the elements or injuries to the bodies of either humans or work animals (there is no distinction) are produced without the assistance of some higher virtue. This is explained first in terms of the cause and second in terms of the effect of the sorcery. It is clear that what a human cannot bring about with evil, for example through his own natural gifts when they are undiminished, this he can achieve even less through those natural gifts when they are now diminished, since in
36B that case his virtue in action | is also diminished. A man is diminished in his natural gifts through sins committed in any way through evil. This is proven by authority and by reason. Dionysius says (*Divine Names*, Ch. 4 [4.26]), "Evil is a defect of natural habit" (he is speaking of the evil of sin). "Hence too no one commits an evil work knowingly; if he does commit one, he does so as a result of a defect." The reason is as follows. The evil of sin is in the same relationship to the good of nature as the good of Grace is to the evil of nature. By Grace the evil of nature is diminished like the stimulus that is the inclination towards guilt. Therefore, the good of nature is a fortiori diminished by sin. No obstacle is furnished if mention is made of giving the evil eye, which is sometimes brought about by the glare or gaze of an evil-minded old woman looking at a child, as a result of which the child is changed and receives the evil eye, because, as was discussed above,[286] in connection with children it is only because of their delicate temperament that this can happen. Here, however, we are speaking of changes affecting all bodies of any humans and work animals, as well as the changes of the elements resulting in hail
36C storms. If | someone desires a broader understanding, let him examine the Saintly Doctor in *Questions about Evil* [2.12] as to whether sin can corrupt the entire good of nature.

Next, an explanation is given in terms of the effects of sorcery, since an understanding of the cause is reached on the basis of the effects. Those effects, in terms of ourselves, that happen in a way that surpasses the order of the nature created for us, by virtue of a creation unknown to us,

[286] See 17D–18C.

are not properly miracles like those that happen in a way that surpasses the order of the whole of created nature, which are worked in accordance with His power by Him Who is above the entire order of the whole of created nature, that is, Holy God. (According to this understanding, it is said, "It is You alone Who make the great miraculous events" [Ps. 76:15; cf. 135:4].) The effects of sorcery are, however, called miraculous to the extent that they are made by a cause unknown to us and in a way that surpasses the order of the created nature known to us.

From these facts it is concluded that the bodily virtue of man does not extend to causing such acts, since it is always the case that the cause along with its natural effect is known in a natural way without astonishment. That the effects | of sorcery can in some way be called miracles, in that 36D
they exceed human conception, is clear from the effects themselves, since they do not happen naturally. This is also explained by all the Doctors, especially Augustine in the *Book of Eighty-Three Questions* [79], where he says that by magical arts are performed miracles that are generally similar to those that are performed by the servants of God. Again, he says in the same place, "Magicians perform miracles through private agreements, good Christians do so through public righteousness, and bad Christians do so through the symbols of public righteousness." All these statements are explained as follows. Divine righteousness has the place in the whole universe that public law has in the state, and the virtue of a given creature has the same place in the universe as that of some private person in the state. Therefore, to the extent that good Christians perform miracles through divine righteousness, they are said to perform miracles through public righteousness. On the other hand, because the magician works as the result of an agreement entered into with a demon, he is said to work through the demon, who can, by his own natural virtue, do something in a way that surpasses the order of the created nature known to us, | through the virtue of a creation unknown 37A
to us. This will be a miracle in terms of us, but not in a straightforward way, since he cannot work in a way that surpasses the order of the whole of created nature through all the virtues of the creations unknown to us. For He alone is said to perform miracles in this way according to the statement, "It is You alone, O God, Who perform the great miraculous events." Evil Christians do so through the symbols of public righteousness, for instance by invoking the name of Christ or presenting some Sacraments. If someone wishes to, let him examine St. Thomas in the *First Part* in Q. III, Art. 4 [actually, *Summa* I.110.4]. He can also note

the arguments that will be produced in the Second Part of the work in Chapter Six.[287]

*Next, that such effects cannot be caused through expressions and words with the co-operation of the virtue of the stars, either*

NEXT, THAT SUCH ACTS of sorcerers cannot arise or be caused as a result of the words of any humans with the co-operation of any configuration of stars in connection with any images. Since a human's intellect is of such a disposition that his learning is caused as a result of factual matters, it being necessary for the one who understands to view images of the fantasy, his condition is not such that as a result of his conception
37B | (the internal working of his intellect), in a situation where he merely expresses that conception through words, he can cause things from the outside, or that the conception of his intellect can, when expressed in words, change bodies. For people who had such a virtue would not form a single category with us but would be called humans in an equivocal manner.[288]

Also, if it is said that they bring those effects about through words with the co-operation of the virtue of the stars from their nativity, as a result of which it happens that when they utter the words, they make some effect through those words more than other people can, while if the others who are present uttered the same words, they could not bring about some transformation, because the virtue of the stars from their nativity is not at their service, it is clear from the foregoing that these statements are false on the basis of the refutation of the three errors (those of the astrologers, of the horoscope casters and of those who posit an order determined by fate).[289]

Also, words express the conception of the mind, and the heavenly bodies cannot make an impression on the intellect, nor can the movers of those bodies, unless they wished, by themselves and without the motion of the heavenly bodies, to enlighten the intellect.[290] (This would
37C happen only for the purpose of good works, because | the intellect is not

[287] Pt. II, Q. 1, Ch. 6 (111C–114A) The fact that the question is not specified may have to do with a change in the threefold division of the work as a whole.

[288] I.e., they would be called humans in name but in fact be different in species. In medieval philosophy the term "equivocal" signifies a word that is used to describe several things that are similar but do not in fact belong to the same definitional category; Isidore of Seville (*Etymologies* 2.26.2) cites as an example the word "lion," which can refer to a "real" lion, or a painted or sculpted representation of one.

[289] See 31C.

[290] This is the fourth topic laid out in the introductory paragraph (29D).

enlightened but darkened for the commission of evil deeds, this being the duty not of good spirits but of evil ones). Therefore, it is clear that if their words bring about some effect, this is not through the force of some heavenly body but through the assistance of some virtue of the intellect. Even if this virtue is good by nature, it cannot be good by will, inasmuch as it always plots for evil. This will be a demon, as was shown above.[291]

It is also clear that neither can they bring about such effects through images, as if the heavenly bodies had some influence on those images. However much such images are marked with characters and figures, they are the result of a human working through art, and the heavenly bodies cause natural effects, a category into which the effects of sorcerers do not fall, being called "effects of evildoing" since they result in evil for creatures contrary to the normal order of nature.[292] Hence, they are not relevant to the issue.

Also, it was shown above[293] that astrological and magical images are twofold, being ordained for the acquisition of some private good|and not 37D
merely for ruination. On the other hand, the images of sorcerers belong to an altogether different variety, since it is always for the purpose of harming creatures and at the command of demons that they are placed in some location, in order that those who walk or sleep above them should be harmed, as the sorceresses themselves confess. Hence it is through these demons and not as a result of the influences of the heavenly bodies that they bring about whatever they cause.

As for the arguments.

[RA 1] As for the first. The statement of Augustine should be understood to mean that the cause of human depravity goes back to man's will, this being the cause that achieves the effect, which is what is properly called the cause. On the other hand, this is not the case with the cause that permits the result or gives the inclination to it or wins someone over to or enjoins it. In these manners, that is, in terms of winning over and giving the inclination and enjoining, the Devil is said to be the cause of sin and depravity, while God is said to be the cause only in terms of permission, since He permits evil things for the sake of good things according to Augustine in the *Enchiridion* [11] ("The devil produces a disposition by making an internal suggestion, and persuades by making

[291] See 35D.

[292] Again there is word play in the Latin in that the phrase translated "effects of evildoing" could also signify "effects of sorcery."

[293] Probably a reference to the "nigromantic" and "astronomic" images defined in 19C–D.

38A a keener internal and external stimulus."). He enjoins those | who have completely subjected themselves to him, for instance, the sorcerers, who have no need to be impelled internally, and so on.

[RA 2] This also provides the response to the second statement, namely that everyone is the cause of his own evil, if this is understood to mean "directly." As for the proofs, the same response is clear, namely that while being impelled by the action of one who enjoins is contrary to freewill, to be moved by the action of one who gives the inclination is not.

[RA 3] As for the third, the drive toward virtues or vices can be caused in terms of inclination by the influences of the heavenly bodies ("drive" being understood as a natural tendency toward human virtues and vices), but because the deeds of sorcerers surpass the regular order of nature, they cannot be subject to those influences.

[RA 4] As for the fourth, the same explanation is obvious, in that the heavenly bodies are the causes of human acts, but those works were not devised by humans.

[RA 5] As for the fifth, namely that the movers of the orbs can make an impression on souls, if this is understood as happening directly, then they make the impression by giving enlightenment towards good and not towards evil, as was mentioned above, but if it is understood as happening through an intermediary, then they make the impression
38B according to the influence | of the heavenly bodies in an indirect manner that gives rise to an inclination.

[RA 6A] As for the sixth, the argument that demons harass humans according to certain phases of the moon, this happens for two reasons. The first is to blacken the reputation of a creation of God, namely the moon, as Jerome [*Commentary on Matthew* on 4:24] and Chrysostom [*Homily on Matthew* 57.3] say. The second is that since they can work only through the intervention of natural virtues, as was stated above, they observe the abilities of bodies to cause effects, and because the brain is the dampest of all the parts of the body, as Aristotle [*Parts of Animals* 2.7] and all the natural philosophers say, it is especially subject to the working of the moon, which, as a result of its characteristic nature, is able to set the humors into motion. Moreover, the powers of the soul are consummated in the brain, and therefore according to certain phases in the moon the demons throw a man's fantasy into confusion, watching for a brain inclined to this.

[RA 6B] As for the second, the one that the demons arrive when summoned under certain configurations of the stars, they do so for two reasons. The first is to bring humans to the error of believing that there is

some godhead in the stars. The second is that they observe that according to | certain configurations of the stars bodily matter is more inclined to 38C the effects for which they are summoned.

[RA 6C] As for the third, the response is that as Augustine says (*City of God* Bk. 36 [actually, 21.6]), demons are enticed through various kinds of stones, plants, wood, and also charms and musical instruments, not like animals by food but like spirits by signs, to the extent that these are shown to them as a sign of the divine honor that they themselves desire.

It is often objected, however, that the demons can be impeded in their harassment of humans by means of plants and harmonies, as is cited in the argument regarding the relief of Saul by means of the lyre's harmony [1 Sam. 16:14–23], and on this basis they strive to defend the proposition that some people could bring about the effects of sorcery by means of certain plants and hidden causes, without the aid of demons and merely as a result of the influence of the heavenly bodies, which are able to influence bodily things to produce bodily effects more than they are able to influence the demons to produce the effects of sorcery. Therefore, a broader response should be given. It is to be noted that while plants and harmonies | cannot, by their natural virtue, completely 38D shut out the harassment by which the Devil can harass a human if he is allowed to by God or the good angels, they can nonetheless lessen that harassment (and it could be so small that they could shut it out altogether). They would do so not by acting on the demon himself, since he is a disembodied spirit against which no body whatsoever can act naturally, but by acting on the person harassed by the demon. For every cause that has a restricted virtue can have a stronger effect on matter that is disposed than on matter that is not. In agreement with this is the statement of the Philosopher: "Acts of agents take place in a recipient of the treatment who is already inclined" (*The Soul*, Bk. 2 [2.2]). A demon is an agent of restricted virtue, and therefore the Devil can make a stronger harassment in the case of a human inclined to that harassment or to that end to which the Devil intends to bring him than in the case of a human of the opposite inclination. For instance, the Devil can harass a human inclined to it more strongly with a treatment of melancholic suffering than he can a human | of the opposite inclination. 39A

It is certain that plants and harmonies have a great ability to change the inclination of the body, and consequently the drive toward sensuality. This is clearly the case with plants, some giving an inclination to joy, some to sadness, and so on with the others. This is also made clear with reference to harmonies by the Philosopher in *Politics*, Bk. 8 [8.5], where

he means that various harmonies are able to produce various treatments in a human. Boethius too mentions this in his *Music* [1.1], as does the author of *The Birth of the Sciences,*[294] when in speaking of the usefulness of music he says that it has the ability to cure or lessen various illnesses. In this way it can be seen that other things being equal, the harassment would be weaker.

I do not see how plants or harmonies can cause in a human an inclination because of which the human could in no way be harassed by a demon, because, even if it were permitted, the Devil could greatly harass a human merely by moving in location the vapors and the very spirits with an irregular motion. Furthermore, plants or harmonies could not, by their natural virtue, cause in a human an inclination by which a
39B demon is prevented | from creating this disturbing motion. Nonetheless, it sometimes happens that the Devil is permitted to harass a human only with so small a harassment that by some strong inclination to the contrary the harassment is completely taken away, and in that case some plants or harmonies could so incline the human's body to the contrary that such harassment would be completely removed. For example, the Devil could sometimes harass the human with the harassment of sadness in such a weak way that this sadness would be completely removed with some plants or harmonies that could cause a spreading out or diffusion of the spirits that are the contrary force impelling the sadness. On the other hand, however, Augustine (*The Christian Doctrine*, Bk. 2 [2.20]) condemns amulets and certain other things about which he writes more broadly there, ascribing this to the art of magic, that is, in light of the fact that they do not have this ability as a result of their natural virtue. This is clear from his statement, "To this category belong all amulets and cures which the teaching of physicians condemns." In this it is clear enough that their teaching makes its condemnation in terms of usefulness, and
39C with reference to | this these cures have no effectiveness on the basis of their natural virtue.

As far as concerns that statement in 1 Sam. 16[:16], that Saul, who was being harassed by a demon, was relieved when David plucked the lyre in his presence and that the evil spirit withdrew and so on, it should be realized that it is quite true that, through the plucking of the lyre, Saul's affliction was somewhat relieved through the natural virtue of that harmony, to the extent that by being heard the harmony sweetened his desire and through this sweetening he was rendered less suitable for the

[294] Unknown reference.

harassment, but the fact that the evil spirit withdrew when David played the lyre was caused by the power of the Cross. This is stated explicitly enough in the gloss, where it says, "David was learned in musical chants. The reasoned and modulated harmony of various sounds signifies the Unity of the Church that resounds in various ways everyday. In his lyre David chained up the malevolent spirit because there was such force not in the lyre but in the Sign of the Cross that was made in the wood and the tightening of the chords, that is, | the veins, which then put the 39D
demons to flight."[295]

[Note on Sources
Major identified sources for Q. 5:
Aq., *On Evil* 2.12; 3.3, 5; 16.2
*Summa* I.110.4; I.114.4; I.115.4, 5; I.116.1, 2, 4; I.117.3
*Summa Contra Gentiles* 3.103; 3.105; 3.106
Nider, *Praec.* I.II.35]

## there follows a discussion of sorceresses subordinating themselves to demons (it is question six according to the enumeration)

AS A THIRD AND related difficulty concerning the sorceresses who subordinate themselves to demons, several difficulties can be raised about the method of undertaking such filthy acts.[296] First, in terms of the demon and the body assumed by him, which element the body is formed from. Second, in terms of the act, whether it is always performed with an introduction into the sorceress of seed taken from another man. Third, in terms of the time and place, whether he carries out the act at one time rather than another. Fourth, whether he acts visibly with reference to the by-standers. In terms of the women, whether only those who are begotten as a result of such filthy acts are habitually visited by demons; | second, whether those who are offered by midwives to demons 40A
at the time of birth are so visited; and third, whether the sexual pleasure is lessened in the case of such women. Since a response to all these questions is not necessary at the present time because our interest is only in the

[295] This quotation is an adaptation of Rabanus Maurus's gloss on the biblical passage.
[296] The introductory passage in front of Q. 3 (21A) indicates that the third "difficulty" concerning the increase of the Heresy of Sorceresses through demons will concern "sorceresses who subordinate themselves to demons." Unlike the other questions of Pt. I, this "difficulty" does not take the form of a disputed question, and instead is a simple discussion in three parts.

generality, and since those questions will be explained individually in Part Two of the work through their deeds, as will be explained in Chapter Four,[297] where there will be mention of the individual methods, let us turn to the second basic topic,[298] and first to the question of why this form of breach of the Faith is found more often in the delicate sex than in males. The first question will be a general one concerning the general circumstances of the condition of women,[299] the second will be a specific one concerning which specific sort of women are found to be superstitious and sorceresses,[300] and the third will be a particular one concerning midwives, who surpass all others in evil.[301]

As for the first, namely why a larger number of sorcerers is found among the delicate female sex than among men, it would certainly not
40B be helpful to cite arguments to the contrary,[302] | since experience itself makes such things believable more than do the testimony of words and of trustworthy witnesses. Without looking down upon the sex in which God has always performed brave deeds in order to confound, let us say that while different reasons are given by different people for these facts, these reasons always agree in principle. Hence, this topic is quite worthy of being preached for the admonition of women – as experience has often shown, they are eager to listen – so long as it is propounded with circumspection.

Some Doctors give the following explanation. They say that there are three elements in the world that do not know how to maintain a middle course in terms of goodness or evil, and instead attain a certain pinnacle in goodness or evil when they pass over the boundaries of their condition, these three things being a tongue, a churchman and a woman. They do this in goodness when they are ruled by a good spirit, and as a result of this they become excellent. They also do this in evil when they are ruled by an evil spirit, and as a result of this they are rendered very bad.

[297] Actually, Pt. II, Q. 1, Ch. 4 (105D–114A). The list of deferred topics is repeated virtually verbatim in 105D. It seems that at some point in the composition the material was shifted from Pt. I to Pt. II.

[298] As stated in 21A, Pt. I discusses the three elements in sorcery (the demon, the sorcerer, and God's permission), and now the second topic is to be treated. This same topic (women subordinating themselves to demons) is also described there as a "difficulty" relating to the topic of demons.

[299] Q. 6 (39D–45A).

[300] Qs. 7–11 (see n. 333).

[301] Q. 11 (63C–64C).

[302] Presumably, this means that the usual method of scholastic argumentation is being eschewed.

This is clear with regards to the tongue, since with its help very many | kingdoms have been conquered for the Christian Faith, and for 40C
this reason the Holy Spirit also appeared to the Apostles of Christ in fiery tongues [Acts 2:3].[303] In other wise preachers[304] there is manifested every day the tongue of the dogs who lick the wounds and sores of feeble Lazarus [Luke 16:21] and who tear the souls "from the enemy with the tongue of your dogs," as the passage [Ps. 67:24] says. For this reason, the Leader and Father[305] of the Order of Preachers is represented in the form of a barking dog who holds a burning torch in his mouth, so that down to the present day he has had the task of warding off the wolves of heresy from Christ's flocks of sheep with his barking.[306] It is also clear from daily experience that the slaughter of countless people is sometimes prevented by the tongue of a single foresightful man. Because of these things Solomon not unjustly sang many songs in praise of it: "On the lips of the wise man is wisdom found" (Prov. 10[:13]), and again, "The tongue of the just man is choice silver, the heart of the impious is as nothing" [verse 20] and again, "While the lips of the just man teach very many, those who are unlearned will die amid poverty of heart" [verse 21]. For this reason, it is added that "It is the role of a human to prepare his spirit | and of the Lord to govern the tongue" (Prov. 16[:1]). 40D

On the topic of the evil tongue, you will find Ecclesiasticus 28[:16–17]: "The third tongue stirred up many and scattered them from nation to nation, destroyed walled cities and ransacked the homes of the mighty." (By "third tongue" is meant the tongue of those who speak in an incautious or foul manner in between two opposing parties.)

Regarding the second category (churchmen), understand the clerics and the religious[307] among each sex. On the phrase, "He threw the sellers and buyers from the temple," Chrysostom said, "Every evil arises from the priesthoods, just as every good does." Jerome said in the *Letter to Nepotianus* [5], "Flee like the plague a merchant cleric, who has turned from a poor man into a rich one and from a low-born man into a prestigious one." St. Bernard, speaking of clerics, says (Homily 23 on

[303] This and the following paragraph are copied over from the source (Nider) and are irrelevant to the issue at hand. Perhaps the references to the Dominican Order and to the failings of ecclesiastics were pleasing to the author.

[304] I.e., members of the Dominican Order (properly known as the Order of Preachers).

[305] I.e., St. Dominic.

[306] This ugly image is symbolic of the Dominican Order's mission to hunt out and exterminate heretics. The symbolism gave rise to the false derivation of the term "Dominican" (lit. "belonging to Dominic") from the Latin for "dogs of the Lord" (*domini canes*).

[307] I.e., those who have adopted vows as monks (nuns) or friars.

"The Song of Songs" [23:16]), "If an avowed heretic were rising up, he would be sent off and would wither away. If a violent enemy did so, perhaps the good men would withdraw from him. But in the present time, how will they cast away, where will they withdraw?[308] All men are
41A friends, and yet all are enemies, | all are intimate associates and none peaceable, all are neighbors and all seek the things that are theirs."[309] In another passage he says, "Our prelates have become Pilates, and our pastors have become fleecers," and he says of the prelates among the religious who impose heavy burdens on those below them, "They would not touch the smallest ones with their own finger."[310] Gregory says in his *Pastoral Book*, "No one causes more harm in the Church than one who acts perversely but possesses a recognized reputation for saintliness. For no one presumes to rebuke him when he does wrong, and his guilt turns into a forceful example when a sinner is honored out of respect for his status." About the religious St. Augustine says, "Before the Lord our God, Who has been the witness of my soul since I began to serve God, I straightforwardly admit to Your Charity that it is with difficulty that I have found any people either worse or better than those who have either gone astray or gone forward in monasteries" (*Letter to Vincentius the Donatist* [Let. 2.78.9]).

The evil of women is discussed in Ecclesiasticus 25[:22–23]: "There is no head worse than the head of a snake, and there is no anger surpassing
41B the anger of a woman. | It will be more pleasing to stay with a lion and a serpent than to live with an evil woman." Among many things that follow and precede, he concludes about the evil woman in the same passage, "Every evil is small compared to the evil of a woman" [verse 26]. Hence, Chrysostom says in reference to the passage, "It is beneficial not to marry" [Matt. 19:10]: "What else is a woman but the enemy of friendship, an inescapable punishment, a necessary evil, a natural temptation, a desirable disaster, a danger in the home, a delightful detriment, an evil of nature, painted with nice color? Therefore, if it is a sin to send her away, then since it is appropriate to keep her, now there is truly an obligatory sort of torture in that we are either to commit acts of adultery in sending her away or have daily quarrels" [*Unfinished Work on Matthew* 38]. Finally, Cicero says, "While men are driven to every act of wrongdoing [*maleficium*=sorcery] by individual," that is, multiple,

[308] So the reading of the first edition; Nider has "whom will they cast aside or from whom will they hide themselves?"

[309] A reference to Phil. 2:21.

[310] Ultimate source unknown.

"desires, women are led to every sort of wrongdoing ["acts of sorcery"] by a single desire. For the basis of all the faults of women is greed" (*Rhetoric*, Bk. 2 [Pseudo-Cicero, *Ad Herennium* 4:23]). Seneca [actually, Publilius Syrus A5, D8] in his tragedies says, "A woman either loves or hates. No third thing has been given. For a woman to cry is a lie. | Two kinds of tears are kept in the eyes of women, one of true 41C
grief and one of treachery. When a woman thinks alone, she thinks evil thoughts."

There is such praise of good women that it is read that they have even made men blessed and saved nations, lands and cities. This is clear in regards to Judith, Delbora and Esther.[311] Hence, the Apostle says in Corinthians 7[:13], "If a woman has a husband and he agrees to live with her, let her not send away her husband. For an unbelieving man is made holy through a faithful woman." For this reason it is said in Ecclesiasticus 26[:1], "The husband of a good woman is blessed. For the number of his years is double." Almost the whole chapter recounts many very praiseworthy things about the excellence of good women, as does the last chapter of Proverbs about a "stout woman" [31:10]. All these notions about women were also made clear under the New Testament, as in the case of virgins and other holy women who led disbelieving nations and kingdoms from the worship of idolatry to the Christian religion. If someone wishes to do so, let him examine Vincent in the *Mirror of History*, Bk. 26 [actually 25], Ch. 9 about the conversion of the kingdom of Hungary through the most Christian Gisela[312] and that of the kingdom of the Franks through Chlothild[313] the virgin betrothed to Clovis, | and he will find many miraculous events. Hence, whatever 41D
diatribes against the lusting of the flesh are read can be interpreted in such a way that "woman" is always interpreted as the lusting of the

[311] These three biblical figures were frequently cited in the Middle Ages as examples of heroines. Delbora (a variant of Deborah) cajoled Barak into attacking the Canaanites (Judges 4). Judith saved a Jewish town that was being besieged by ingratiating herself with the enemy commander and murdering him while he was in a drunken stupor (Judith 8–16). Esther, concubine of the Persian king, used her influence with him to secure the execution of a minister of his who was the enemy of the Jews in general and of her uncle in particular (Esther 7). The last two examples suggest that Delbora/Deborah is being confused with the woman Jael, who hammered a tent pin into the head of Sisera, the enemy general who was taking a nap in her tent during his flight after Barak's victory.

[312] Sister of the Holy Roman Emperor Henry II, she married King Stephen of Hungary in AD 995/96. He was the first Christian king of Hungary, and they both helped convert the kingdom to Christianity and were made saints for their efforts.

[313] In AD 493, Chlothild, daughter of the King of the Burgundians, married the pagan Clovis, who had recently united the Franks. Though she attempted to convert her husband to Christianity, according to Gregory of Tours he actually converted as a result of a vow made during his defeat of the Alamanni.

flesh according to the passage, "I found woman more bitter than death" [Ecclesiastes 7:27], and "A good woman is subordinated desire of the flesh."

There are others who give different reasons for why women are found to be superstitious in larger numbers than men, and they say that there are three reasons. The first is that they are prone to believing and because the demon basically seeks to corrupt the Faith, he assails them in particular. Hence Ecclesiasticus 19[:4]: "He who quickly believes is fickle in heart and will be made small." The second reason is that on account of the tendency of their temperament towards flux they are by nature more easily impressed upon to receive revelations through the impression of the disembodied spirits, and when they use this temperament well, they are very good, but when they use it badly, they are worse. The third reason is that they have loose tongues and can hardly conceal from their female companions the things that they know through evil art, and since they lack physical strength, they readily seek to avenge themselves
42A secretly through acts of sorcery. | Hence, "It will be more pleasing to stay with a lion and a snake than to live with an evil woman. All evil is small compared to the evil of a woman." (Ecclesiasticus 25, quoted above). The following reason can likewise be added. Since they are prone to flux, they can more quickly offer children to the demons, as in fact they do.

There is also a third group, who give different reasons. Preachers should propound and mention these reasons cautiously. In Scripture, they say bad things about women for the most part in the Old Testament – because of the first sinner (Eve) and her imitators – but later in the New Testament, because the name changed (Eve becoming Ave) and because, as Jerome says, "All the evil that the curse of Eve brought in was removed by the blessing[314] of Mary," there are very many statements about women that should always be praised and preached. In modern times, however, this kind of breach of the Faith is found more often in women than in men, as experience itself indicates, and by tracing the
42B reason more carefully beyond the foregoing we can say that | since they are defective in all the powers of both soul and body, it is not surprising that they cause more acts of sorcery to happen against those for whom they feel jealousy. For in terms of the intellect or the understanding[315]

[314] There is a play on words in the Latin, the words for "curse" (*maledictio*) and "blessing" (*benedictio*) being similar formations (lit. "speaking well" and "speaking ill").

[315] This is an etymological play in Latin in that "intellect" (*intellectus*) is clearly the abstract noun of the verb to "understand" (here in the form *intelligendum*).

of spiritual matters they seem to belong to a different variety than men. Authority and reason, along with various examples from Scripture, indicate this. Terence [*Hecyra* 3.1] says, "Women are generally like children, possessing trivial views." Lactantius says that a woman has never known philosophy except Themiste[316] (*Institutes* 3[.25]). Proverbs 11[:22] says as if describing woman, "A beautiful and foolish woman is a gold ring in a pig's nose." There is a natural explanation, namely that she is more carnal than a man, as is clear in connection with many filthy carnal acts. These defects can also be noticed in the original shaping of woman, since she was formed from a curved rib, that is, from the rib of the chest that is twisted and contrary, so to speak, to man. From this defect there also arises the fact that since she is an imperfect animal,[317] she is always deceiving,[318] and for this reason she is always deceptive. Cato says, "She sets a trap with tears" [*Distich* 3.20], | and it is said, "While a woman 42C
cries, she is striving to deceive her man."[319] This is clear in the case of the wife of Samson, who, after importuning him greatly to reveal to her the riddle that he had given to his companions, revealed to them what he had said and thus committed deception.[320] It is also clear in connection with the first woman that they have less faith by nature, since in response to the serpent's question as to why they did not eat of every tree in paradise, she said, "From every . . . lest we may die" [Gen. 3:2–3]. In this she shows that she is doubtful and does not have faith in the words of God. All this is also demonstrated by the etymology of the noun. For the word "*femina*" [the Latin word for woman] is spoken as "fe" and "minus," because she has and keeps less [Latin "*minus*"] faith [Latin "*fidem*"].[321] This is the result of nature in terms of faithfulness, though as a result of both Grace and nature at the same time, faith never failed in the case of the Most Holy Virgin, when it had failed in the case

[316] This is a garbling of the name of the Greek goddess Themis, who personifies order.

[317] The biological notion was that the female was a "defective" or lacking form of the male. The statement here seems a reflection of Aq., *Sent.* 1.102.3.Ra9, which is an explanation of why holocaust offerings in the Old Testament consisted exclusively of male animals.

[318] The source (Antoninus) is garbled here; the text should say that "she always thinks that she is being deceived."

[319] Actually, only the first quote is attributed to Cato in the source (Antoninus), and the second is a modification of a common medieval adage.

[320] For the story of Samson's riddle and the deception of his wife Timnah, see Judges 14:11–18.

[321] This absurd etymology is probably the best-known example of the anti-female reasoning of the *Malleus*. In fairness, it should be noted that this passage is borrowed verbatim from the source (Antoninus of Florence's *Summa*). The etymology makes sense only in the Romance languages, where the Latin *fides* is often reduced to *fe* (cf. Spanish *fe* and French *foi*). Though the standard modern Italian *fede* retains the two syllables and "d" of the Latin form, archaic Italian used the form *fe*, which must lie behind Antoninus' reasoning.

of all the men at the time of the Passion of Christ.[322] Woman, therefore, is evil as a result of nature because she doubts more quickly in the Faith. She also denies the Faith more quickly, this being the basis for acts of sorcery.

42D As for another power of the soul (the will), | when she hates someone whom she previously loved, as a result of nature she swells with anger and with her inability to tolerate this, and she is entirely intolerant of this in the same way that the swelling of the sea bubbles and rushes. Various authorities allude to this explanation. Ecclesiasticus 25[:19]: "There is no anger compared to the anger of woman." Seneca in the eighth tragedy [*Medea* 579–582]: "No terrifying force of flame or of billowing wind or of hurled spear is so great as that with which a wife bereft of nuptial torches blazes and hates." This is clear in the case of the woman who falsely accused Joseph and had him imprisoned because he was unwilling to agree to the crime of adultery with her (Gen. 30 [actually, 39]). In fact, the principal cause contributing to the increase of sorceresses is the grievous war between married and unmarried men and women. Indeed, this is the case even among holy women, so what about the others? For in Genesis you see how great was the intolerance and envy of Sarah against Hagar after she conceived (Gen. 21[:9–21])! How great was that of Rachel against Leah because of the sons that Rachel did not have (Gen. 30)! Or that of Hannah against Peninnah, who was fertile while she herself was sterile

43A (1 Sam. 1)! Or that of Miriam against | Moses (Numbers 12), as a result of which she grumbled at and disparaged Moses, because of which she was also struck with leprosy! Or that of Martha against Magdalene when she was sitting and Martha serving (Luke 10[38–42])! Hence, Ecclesiasticus 37[:12]: "Deal with a woman about the things that she envies", as if it said, "one should not deal with her because there is always rivalry, that is, envy in a bad woman." When they behave this way among themselves, how much more so against men! Therefore, as Valerius [*To Rufinus* 14] relates, on the day when king Phoroneus of the Greeks died, he said to his brother Leontius, "I would lack nothing in complete happiness if I had always lacked a wife."[323] To this Leontius asked, "How does a wife obstruct happiness?" and Phoroneus replied, "This all husbands know." The philosopher Socrates, when asked whether it was necessary

[322] Whereas the Apostles abandoned Jesus at the time of his arrest, his mother was present at the crucifixion according to John 19:25–27.

[323] While Phoroneus is mentioned by Augustine as an early Greek lawgiver, the character of Leontius was made up by Walter Map in his satirical attack on marriage (see "Valerius" in section b of the "Notes on the translation").

to take a wife, answered, "If you do not take one, desolation will take possession as the executor.[324] In this case, there is the death of the lineage and your heir is from another's family. But if you take one, in that case there is endless desolation: complaints about quarrels, upbraiding about the dowry, the burdensome hauteur of the relations by marriage, the prattling tongue of the mother-in-law, someone succeeding to another's marriage, the uncertain outcome of children." These things | he said as 43B
one with experience. For, as Jerome says in *Against Jovinianus* [1.48], this Socrates had two wives, and though he endured them with great patience, he was not able to escape their insults, shouts and rebukes. Hence, one day they were making complaints against him, and after he left the house to avoid their annoying words and sit in front of the house, the women threw dirty water on him. Unfazed by this since he was a philosopher, he said, "I knew that the rain follows after the thunder." One can read about a certain man whose wife had drowned in a river. When he was looking for her corpse to remove it from the water, he walked upstream, and when he was asked why he was looking for her upstream though heavy objects flow downstream and not up, he answered, "In life that woman was always contrary to my words and deeds or commands, and so I am looking for her in a contrary manner in case even in death she retains a contrary will that surpasses what is normal." Indeed, just as the result of the first defect, that of intelligence, is that they commit | 43C
the renunciation of the Faith more easily than do men, so too the result of the second, namely irregular desires and passions, is that they seek, think up and inflict various acts of vengeance, whether through acts of sorcery or by any other means. Hence, it is no wonder that such a large number of sorcerers exists in this category.

In addition, how great is their defect in the power of memory, since as a result of nature there is in them the fault that they are unwilling to be ruled and instead follow their own urges without any piety! She strives after this, arranging to this end all the things she has remembered. Hence, Theophrastus says [cited in *To Rufinus* 1.48], "If you entrust the entire house to her, you must act like a slave. If you retain for your own judgment a great matter or even some trivial one, she will think that you do not trust her and will stir up disputes. Unless you consult her quickly, she gets poisons ready and consults soothsayers and predictors of the future." Behold acts of sorcery! As to what the dominion of women is like, hear Cicero in *Paradox of the Stoics* [5.36]: "Is that man free to whom

[324] I.e., the end of the family will dissipate its property.

a woman gives commands, imposes terms, makes rules, orders or forbids what she wants, or can he or dare he say no to her when she makes some
43D command? I think that he should be called not simply a slave | but the most wicked of slaves, even if he is born of the most impressive family." Hence, Seneca, too, says in the person of the raging Medea,[325] "Why are you stopping now?[326] Follow the fortunate impulse! How small is that portion of the revenge in which you rejoice! . . . " [*Medea* 595–596]. Here he makes many statements, showing that a woman is unwilling to be ruled but proceeds by her own impulse, even to her own harm, just as one can read about many women who, on account of either love or pain, killed themselves because they could not wreak vengeance. For instance, in *Commentary On Daniel* [on 11:6] Jerome tells the story of Laodice. Being the wife of Antiochus, King of Syria, and feeling jealous that he would have more love for Beronice, whom he also held as wife, Laodice first had Beronice and her child by this Antiochus killed and then killed herself with poison. Hence, because her wish is not to be ruled but to proceed by her own impulse, Chrysostom[327] not unjustly says, "Oh, an evil worse than any evil is a woman, whether she is poor or rich! For if
44A she is the wife of a rich man, she does not cease day or night | agitating her husband in clever conversation, enticing wickedly and demanding violently. If, on the other hand, she has a poor husband, she does not stop rousing him too to anger and squabbles. If she is a widow, she looks down upon everyone without distinction and is inflamed by a spirit of arrogance to every form of boldness."

Let us look, and we find that virtually all the kingdoms of the world have been overturned because of women. For the first prosperous kingdom (Troy) was destroyed because of the seizure of a single women, Helen, and many thousands of Greeks were killed. The kingdom of the Jews suffered many evils and deaths because of a very bad queen, Jezebel, and her daughter Athalia, queen in the kingdom of Judah, who had had the sons of her son killed in order that at his death she could reign herself, but both women were killed. The kingdom of the Romans endured many evils because of Cleopatra, the Queen of Egypt, a very bad woman. And so on about others. Hence, it is no wonder if the world now suffers on account of the evil of women.

[325] The figure from Greek tragedy who, as an act of vengeance against her ex-husband, killed her own children and his future bride. Seneca wrote a tragedy about this.
[326] "Now" is a misreading. Antoninus (the source) correctly has "Why, spirit, are you stopping?"
[327] Ultimate source unknown.

Next, an examination of the carnal desires of the body. As a result of them countless injuries happen to human life, | so that we can justly say 44B
with Cato Uticensis[328] that if the world could exist without women, we would interact with the gods. For if the evil of women did not in fact exist – not to mention their acts of sorcery – the world would remain unburdened of countless dangers. In the letter *To Rufinus*, Valerius says, "You do not know that woman is a chimera but you ought to know that that triple-shaped monstrosity is made lovely with the outstanding face of a lion, befouled with the stomach of a smelly she-goat and armed with the tail of a poisonous snake." He means that her countenance is beautiful, her touch malodorous, and her interaction with others destructive.

Let us also hear another characteristic, that of her voice. For she is lying in speech just as she is in nature. She is stinging and yet pleasing, and as a result of this the voice of women is compared to the song of the Sirens, who attract those who sail past with sweet melody and eventually kill them. Women do kill in that they empty wallets, drain strength, and forcibly cause the loss of God. Again Valerius says the following in the letter *To Rufinus*, "The delight gives pleasure and the transgression pricks the senses. The flower of Venus is a rose because under | its dark-red color lurk many thorns." So Proverbs 5[:3–4]: "Her 44C
throat is more shiny than oil," that is, "her most recent speech is bitter like wormwood."

Let us hear another characteristic. Her walk, bearing and demeanor – this is the vanity of vanities. There is no man in the world who strives to please Beneficent God as much as even a woman who is moderate in her vanities strives to please men. About this there is an example in the life of Pelagia.[329] Being given over to the secular world, she was running around in Antioch with excessive adornment, and a Saintly Father by the name of Nomius began to weep at the sight of her. He said to his associates that in all the time of her life she had never applied such diligence in pleasing God and so on, and in the end she was converted by his prayers. This is the woman mentioned in Ecclesiastes 7[:27] and about whom the Church now laments because of the huge number of sorceresses: "I have found woman more bitter than death. She is a hunters' snare, her heart is bait, and her hands are chains. He who pleases God will

[328] Ultimate source unknown.

[329] In the *Life of Pelagia*, a work popular in the Middle Ages, the conversion is narrated of the prostitute Pelagia to the life of asceticism through the intervention of Bishop Nonnus (here inaccurately rendered as Nomius).

shun her. He who is a sinner will be captured by her." She is more bitter
44D than death, that is, than the Devil: "His name | was Death" (Apocalypse 6[:8]). For though it was the Devil who misled Eve into committing sin, it was Eve who led Adam astray, and since the sin of Eve would not have brought the death of the soul and body upon us if the guilt in Adam to which she and not the Devil misled him had not ensued, she is "more bitter than death." Again, she is "more bitter than death" because death is natural and kills only the body, but the sin introduced by woman kills the soul as well as the body by depriving it of Grace as a penalty for sin. Again, she is "more bitter than death" because the death of the body is an open, fearsome enemy, but woman is a hidden, cajoling one, and for this reason she is more bitter and dangerous. She is called a snare of hunters, that is, of demons, because men are captured not merely through carnal desires at the sight and sound of them – since their face is a burning wind and their voice a serpent's hiss according to Bernard [*Poem of Exhortation to Rainald, The Manner of Living Well*] – but also through their affecting countless men and domestic animals with sorcery. Her heart is called "bait," that is, the imperceptible
45A ill-will that holds sway in women's hearts. Their hands are chains | for restraining. For when they set their hand to affecting a creature with sorcery, then with the co-operation of the Devil they bring about what they undertake.

Conclusion. Everything is governed by carnal lusting, which is insatiable in them (next to the last chapter of Proverbs [30:15]: "There are three insatiable things . . . and a fourth that never says, 'It is enough,'" namely the opening of the womb) and for this reason they even cavort with demons to satisfy their lust. More evidence could be cited here, but for intelligent men it appears to be reasonably unsurprising that more women than men are found to be tainted with the Heresy of sorceresses. Hence, and consequently, it should be called the Heresy not of Sorcerers but of Sorceresses, to name it after the predominant element. Blessed be the Highest One, Who has, down to the present day, preserved the male kind from such disgraceful behavior,[330] and clearly made man privileged since He wished to be born and suffer on our behalf in the guise of a man.

[330] This expression of thanks to the Almighty is borrowed from William of Auvergne (*The Universe* 2.3.25), whose point is rather different. He argued that since demons abhor homosexuality, they restrict their sexual attentions to human females, and for this he was duly grateful to God.

## *What sort of women are more often found to be superstitious and sorceresses*

As for the second topic,[331] namely what sort of|women are found 45B
to be more given to superstition and tainted with acts of sorcery than are the rest, it should be said, as has become clear from the preceding question, that because three general faults (lack of faith, ambition, and debauchery) are seen to hold sway among bad women in particular, those women who are devoted to these faults more than the rest engage in acts of sorcery more than do the rest. Again, since among these three faults the last is the predominant one, therefore, since this fault is insatiable and so on, even among ambitious women the ones that are more tainted are those who are more inflamed with the purpose of satisfying their base lustings, like adulteresses, female fornicators and the concubines of powerful men. This takes place on the basis of seven different sorts of sorcery, by means of the tainting of the sexual act and fetuses in the womb with various acts of sorcery, as is mentioned in the bull.[332/333] First, by diverting the minds of men to irregular love and so on.[334] Second, by impeding the procreative force.[335] Third, by taking away the limbs appropriate for this act.[336] Fourth, by changing men into the shape of beasts through the art of conjuring.[337] Fifth, by destroying the procreative force with reference to females.|Sixth, by causing a miscarriage. Seventh, 45C

[331] That is, the second topic arising from the broader question of why women are more prone to sorcery than men, as outlined in 40A.

[332] I.e., *Summis desiderantes*, which mentions only the killing of fetuses and the impeding of sex, and not the seven sorts of sorcery.

[333] The topic of which sort of women are more prone to sorcery is seemingly dropped after only two sentences, and from now until Q. 11 the topic turns to the seven methods of thwarting reproduction. The phrase *et hoc* ("and this . . . ") that introduces the present sentence normally gives an elaboration of some major thought that proceeds, but it is not self-evident which thought is being elaborated. Just after Q. 6 in the Table of Contents it is explicitly stated (3B) that "what sort of women are involved more than others is explained in the following five questions," and this must refer to Qs. 7–11, which speak of the method of impeding procreation. Furthermore, in 52B the "truth that adulteresses, female fornicators and so on are more frequently sorceresses" is demonstrated by the ability to interfere with procreation, this topic being called "second," just as it is here. This "truth" is likewise alluded to at the start of Q. 9 (56A), Q. 10 (59B) and Q. 11 (63C), which all continue the seven-fold enumeration indicated here. It would appear, then, that the topic of which sort of women engage in sorcery is discussed (confusingly and illogically) from the point of view of what sort of sorcery they perform. Perhaps this peculiar procedure is a sign that the content of Qs. 7–11 has been adapted from some earlier work and put to use in a new context for which it is ill-suited.

[334] 45C–52B plus Q. 7 (46A–52B).

[335] Q. 8 (52C–55D).

[336] Q. 9 (56A–59B).

[337] Q. 10 (59B–63A).

by offering babies to demons.[338] This is apart from the other animals and fruits of the earth, on which they inflict various injuries; these will be treated in following sections but for the present let us give explanations for the injuries to humans. First, a conclusion about those whom they affect with sorcery in the direction of irregular love or hatred, and later the same topic should be discussed under the rubric of a difficulty for further understanding.

This conclusion is as follows. St. Thomas, when treating the impediment caused by sorcery (*Commentary on Pronouncements*, Bk. 4, Dist. 34 [*Sent.* 4.34.1.3]), gives explanations to show why more power over the sexual acts of man is granted to the Devil by God than over other acts, and therefore it is necessary to say by similar reasoning that those women who are more given over to these acts suffer more harassment. For he says that because the first corruption of sin by which man was made a slave of the Devil reached us through the act that generates, the power of sorcery is granted to the Devil by God in connection with
45D this act more than with others, | just as the virtue of acts of sorcery is demonstrated more in the case of serpents, as is stated, than of other animals, since the Devil made temptation by means of the serpent as if with his own tool. Hence, as he later adds, though marriage is an act of God, having been instituted by Him, still it is sometimes destroyed through the acts of the Devil, not, to be sure, through violence, since in that case the Devil would be counted stronger than God, but by causing an impediment, whether temporary or permanent, to the conjugal act as a result of God's permission. On the basis of these arguments, let us say what experience teaches, namely that for the sake of carrying out such filthy acts in regards both to themselves and to the powerful men of the secular world of whatever rank and status, they carry out countless acts of sorcery, turning these men's minds to the love of mistresses or to infatuation, so that no shaming or persuasion can prevail upon them to give them up. From these facts the destruction of the Faith or an intolerable risk of this threatens everyday, since the women
46A know how to change these men's minds in such a way that | the men allow no harm to be done to the sorceresses either by themselves or others, and thus the sorceresses multiply daily. Would that experience had not taught us this at all! To the contrary, however, such hatreds are stirred up through acts of sorcery among those joined by the Sacrament of Marriage and likewise such coolings of the power of procreation

[338] Topics Five to Seven here are all treated in Q. 11 (63D–64B).

that they cannot return or claim the matrimonial debt for the sake of progeny.

Love and hatred exist in the soul, which even a demon cannot enter, and in order that these assertions should not seem almost unbelievable to anyone, they should be discussed under the rubric of a question, since even opposites are more obvious when placed side by side.[339]

[Note on Sources
Major identified sources for Q. 6:
Antoninus, *Summa* 3.1.25
Nider, *Ant Hill* 5.5, 8
*Praec.* 1.11.21]

## the question concerning whether sorceresses can turn the minds of men to love or hatred (being the seventh in order)

[TT] THE question[340] is raised as to whether demons can turn and incite the minds of men to irregular love or hate through these witches.

[AG 1] It is argued that according to the foregoing they cannot. There are three elements in man: will, intellect and | body. Just as God can 46B
direct the first by Himself ("The heart of the king is in the hand of the Lord" [Proverbs 21:1]), He can also enlighten the second through an angel and guide the body through the influences of the heavenly bodies.

[AG 2] Also, demons cannot exist within bodies when changing them, and much less then can they exist within the soul when introducing hatred or love into its powers. The consequence clearly is that as a result of their nature they have greater control over physical than spiritual matters, and indeed it was made clear in many passages above that they cannot cause a change, because they cannot bring about an essential or incidental shape except with the help of some other agent, just like any other craftsman. To the same effect there is also 26, Q. 5, "*Episcopi*" at the end: "Whoever believes that any creature can be changed for better or worse except by the Creator of all things Himself is worse than an infidel and pagan."

[339] The last clause sounds like an aphorism of scholastic logic, but if so, its relevance is not self-evident.

[340] This is the first of the issues raised in 45B but is not overtly marked as such here.

[AG 3] Also, everything that acts as an agent recognizes its effect on the basis of intention. If, therefore, the Devil could turn men's minds to hatred or love, he would be able to see the internal thoughts of the
46C soul, | which contradicts what is said in *Ecclesiastical Dogmas* [81]: "The devil cannot see internal thoughts." And again in the same book: "Not all our evil thoughts are stirred up by the Devil, but sometimes derive from the impulse of our free will."

[AG 4] Also, love and hatred concern the will, which is rooted in the soul, and, therefore, they cannot be caused by the Devil through any art. The conclusion is valid because to slide into the soul, as Augustine says [*The Spirit and the Soul* 27], is possible only for Him Who created it.

[AG 5] Also, if it is said that he can activate the internal powers of perception and thus as a consequence the will, this is not valid, because the power of perception is more dignified than the power of nourishment, and since the Devil cannot form the act of the virtue of nutrition in order to form flesh or bone, neither can he cause any act of the internal forces of the soul.

[SC 1] To the contrary. The devil is said to tempt humans not only visibly but also invisibly, and this would be false if he could not in some way affect the soul and its powers internally.

[SC 2] Also, John of Damascus says in his *Pronouncements* [*Exposition*
46D *of the Orthodox Faith* 2.4]: | "All evil and all uncleanliness were thought up by the Devil," and Dionysius says (*Divine Names*, Ch. 4 [4.18]), "The multitude of demons is the cause of all misfortunes, both for themselves and for others."

[CO] Response. A distinction should be made here, first, about cause and, second, as to how he can change the internal powers of the soul, which are called the internal powers of perception, and in this way, third, a conclusion about the topic at hand will be reached.

Regarding the first, it is necessary to consider that something can be called the cause of something else in two ways, in one way as the direct cause and in the other as the indirect cause. An example of an indirect cause is that when something serving as an agent causes some inclination toward a certain outcome, it is said to be the cause of that outcome in an indirect manner by providing the opportunity. An example is if saying that the man who dries out wood provides the opportunity for the wood being burned. In this way we can say that the Devil is the cause of all our sins, because he himself impelled the First Man[341] to sin and from

[341] I.e., Adam.

his sin a certain tendency to all sins resulted in the entire human race. This is how the words of John of Damascus and Dionysius should be understood.

On the other hand, something is said to be the direct cause of something else to the extent that it works directly toward that end, | and the 47A
Devil is not the cause of every sin in this way. Not all sins are committed at the instigation of the Devil, but some are as a result of free will and the corruption of the flesh. For, as Origen says [*Principles* 3.2.2.], even if the Devil did not exist, people would have an appetite for food and sexual activities and the like, and in connection with these matters many disorderings would happen if that appetite were not reined in by reason, especially when the corruption of nature is taken as a given. Restraining such an appetite and keeping it in order is within the sphere of the free will, but the Devil does have a lesser power over the appetite.

We cannot discern through this distinction how the love felt for a mistress or infatuation can sometimes be brought about as a result of sorcery, and hence it should further be noted that while the Devil cannot be the cause of such irregular love by directly forcing a man's will, he can nonetheless be the cause in the manner of one who persuades, doing so in two ways, either visibly or invisibly. He does so visibly when, for instance, he appears perceptibly in the form of a person to the sorcerers, speaking perceptibly to them and | persuading them to a sin. In just this 47B
way, he tempted the First Ancestors[342] in paradise in the form of a snake, and Christ in the desert, appearing visibly to Him in some form.

Because it should not be thought that he persuades man in this way alone – for in that case it would follow that no other sins resulting from the Devil's instruction would occur apart from those that the Devil urges by appearing visibly – it is necessary to say that he also impels man to sin invisibly. This happens in two ways, by means of persuasion and by means of causing an inclination. It happens by means of persuasion when, for instance, something is laid out as a good thing to the virtue of decision. This can happen in three ways, in that something is laid out in relation to the intellect or the internal perception or the external perception. As for the intellect, the human intellect can be helped by the good or bad intellect of angels to reach some decision by means of a certain enlightenment, as Dionysius [*Divine Hierarchy* 4.2] says. The explanation is that since according to the Philosopher [*The Soul* 3.4] to understand means to have something done to one, the Devil can impress upon the human intellect some appearance that elicits the

[342] I.e., Adam and Eve.

47C act | of the understanding intellect.[343] If it is said that the Devil could in fact do this by his own natural virtue, which is not lessened (as is clear from the foregoing), it should be said that he cannot do so by means of enlightenment but by means of persuasion. The explanation is that since man's intellect is of such a condition that the more it is enlightened, the more it recognizes the truth, and the more it recognizes the truth, the more it can take precautions against being deceived, and because such deception is the Devil's goal, whatever persuasion is made by him cannot be called enlightenment, though it can be called a revelation to the extent that through some impression upon the internal or external forces of perception (the latter in a case where he would be persuading visibly), he would make some sort of impression, and as a result the recognition of the intellect would be persuaded to carry out some act.

As for how[344] this (his ability to make an impression on internal forces) can happen, it should be noted that while the nature of the body was born to be moved in position by the spiritual nature – this is clearly the case with our bodies, which are moved by our souls, and likewise with that of the heavenly bodies – the nature of the body was not born to be suitable for being formed by the spiritual nature without
47D some intermediary | (we use the term "form" mainly in the sense derived from "remaining outside [Latin "*foris*"]" and not from the one derived from "giving form").[345] Therefore, since it is appropriate that something physical should co-operate as an agent, as is proven in [Aristotle] *Metaphysics*, Bk. 7 [7.7], the substance of a body naturally obeys a good or bad angel in moving in location. If this proposition is granted, then because demons can gather seed in such a manner involving motion and can join or apply them to bring about certain effects in a wondrous way (as happened in the case of Pharaoh's magicians when they produced snakes and real animals [Exod. 7–8] by joining the appropriate agents to the appropriate recipients of the action), there is nothing to prevent anything that can happen to the substance of a body as a result of change in location from taking place through demons if they are not impeded by God.

[343] This is an etymological play in Latin in that "intellect" (*intellectus*) is clearly the abstract noun of the verb to "understand" (*intelligere*).

[344] This is apparently the start of the second topic mentioned at the beginning of the "Response" in 46D.

[345] This is apparently some sort of scholastic explanation of *forma* as a philosophical term (the abstract idea of an object that shapes it from inchoate matter) on the basis of (erroneous) etymology.

Again, if this concept is granted, then if we wish to understand how the Devil can rouse man's fantasy and internal powers of perception to apparitions and rash acts through change in location, it is to be noted that the Philosopher gives an explanation in *Sleep and Wakefulness* [2] for an apparition in dreams through change in location, on the grounds that a large amount of blood descends to the origin of perception[346] when an animal has fallen asleep, | and at the same time movements or 48A
impressions that are left behind from previous motions of perceptible things and that have been preserved in the spirits or the internal virtues of perception also descend, these virtues being the fantasy or imagination, which are the same thing according to St. Thomas, as will be made clear. (The fantasy or imagination is a sort of storehouse of forms received through perception.) Hence, it happens that they[347] set in motion the origin of apprehension, that is, the power that preserves appearances, in such a way that they appear in fantasies just as fresh as if at that time the origin of perception were being changed afresh by those very external things.

It is true that this is not everyone's understanding. If someone wishes to take the time, he would have to consider the number and function of the internal perceptions. While Avicenna says in *The Soul* [1.5] that there are five of these (common sense, fantasy, the power to imagine, the power of estimation, and memory), St. Thomas says in *Part One*, Q. 79 [actually, 4.78.4.4.Co.] that there are only four because he posits the virtues of imagination and fantasy as a single virtue. Since there is a fear of long-windedness, the explanation is omitted here. | Since these 48B
matters are fully treated in several passages, let what has been said suffice, namely that fantasy is a storehouse of forms.

Someone might think that the power of memory is like this. Make[348] the distinction that while fantasy is the storehouse or place of preservation for forms received by perception, memory is the storehouse of conceptions that are not received by perception. For when a sheep sees a wolf and flees, he does so not because of the unsuitability of the wolf's color or shape, which are forms received by the external perceptions and stored in the fantasy. Rather, he flees because the wolf is his natural enemy, and he grasps this through a certain conception and grasp based on the power of estimation, which conceives of the wolf as harmful and

[346] I.e., to the place in the brain where the "perception" of the external object by the consciousness is "set in motion" by the arrival of the stimulus from the organs of perception.
[347] I.e., the movements or impressions.
[348] This imperative is addressed to the reader (here taken to be a potential preacher).

the dog as friendly.[349] The place of preservation for those conceptions is the memory, because the actions of receiving and retaining in bodies are ascribed to different origins. For while damp things receive well and retain poorly, the opposite is the case with dry things.

Relevant to the topic at hand is what happens in the case of sleeping people who are asleep in terms of the apparitions of dreams from spirits,
48C that is, of images deposited in places of preservation. | (This is the result of a natural movement in location on account of the blood and humors being set into motion toward those origins, that is, toward the internal virtues of perception, and we are speaking of motion within the head and in the compartments of the head.) This can also happen as the result of a similar motion caused by demons, in the case not only of people who are asleep but also of ones who are awake, in whom the demons can direct and set into motion the internal spirits and humors, so that the images stored in the places of preservation are brought forth from the storehouses to the origins of perception, that is, to the virtues of imagination and fantasy, so that this person can imagine certain things. This will be called an internal temptation, and it is no wonder that the demon has this ability through his natural virtue, since any human who is awake and has the use of his reason, can, by intentionally setting preserved images into motion, himself bring forth images like this from his storehouses, that is, from the places of preservation, so that he imagines certain things at his own discretion.

If this conception is granted, the topic of the love felt for a mistress is
48D now clearly understood.[350] Since, as has been said, |demons can set images of this kind in motion and so on, they perform these acts in two ways. Sometimes this happens without a fettering of the use of reason (as was mentioned regarding temptation, and as is exemplified by the voluntary adherence that sometimes takes place), and sometimes because the use of reason is completely fettered. We can give examples for this with certain natural defects like those of the delirious and the drunken. Therefore, it is no wonder that the demons can in this way fetter the use of reason with God's permission. Such people are called "seized" (Lat. "*arrepticii*," sing. "*arrepticius*" from the verb "*arripio*, *arripere*") because the use of reason has been seized by the demon. This takes place in two ways, either without a sorceress and sorcery or with her and without sorcery.

[349] The "virtue of estimation" is the equivalent in animals of the "cogitative virtue" in humans, which is also known as "reason."

[350] This is seemingly the conclusion that is mentioned as the third topic at the beginning of the "Response" in 46D.

Since, as the Philosopher says in the aforementioned book [*Sleep and Wakefulness* 2], someone in the throes of passion is roused by a modest similarity, for instance a lover by a modest similarity to the beloved, and so too in the case of one who feels hatred, then the demons find out through experience with human acts what affecting circumstances they are more subject to and impel them toward this sort of irregular love or hatred. The more readily the demons can do this, the more strongly and effectively they impress into people's imagination what the people intend, | and the more readily the lover for his part brings forth the image 49A
he has preserved to the origin of perception, that is, to the imagination, and the more pleasurably it lingers in his thought, the more readily the demons can do this.

They do this by sorcery when they produce such results through sorceresses and at their prompting on account of the agreement entered into with them, and it is not possible to recount these results on account of their large numbers among both spiritual and secular people. How many adulterers cast aside very beautiful wives and blaze with desire for other, very foul women! We know of an old woman who, as the general report of all the brothers in that monastery states down to the present day, not only affected four abbots with sorcery one after the other but killed three and has similarly driven the fourth out of his mind. She herself confesses to this in public declaration and does not fear to say, "I have done so and I still am doing so. They won't be able to stop loving me because they have eaten this much of my shit," showing the amount by stretching out her arm.[351] I confess that we did not possess the power to exact vengeance and to conduct an inquisition about her, and for this reason she still survives.

As for the statement at the beginning of this distinction[352] that | the 49B
Devil invisibly impels man to commit sin not only by means of persuading, as has been stated, but also by means of causing an inclination, the explanation for this is as follows (though this is not relevant to the topic at hand). By applying the spirits and humors in a similar way, he makes some people more inclined to becoming angry or conceiving a lustful desire or something of the kind. For it is obvious that when

[351] This rather distasteful image was apparently used in colloquial German to express a deep amatory yearning. At any rate, a lascivious scholastic in the *Letters of Obscure Men* (2.12) who is smitten with lust for a chambermaid in an inn is portrayed as saying (in suitably foul Latin), "If that maiden would sleep with me for one night, I'd eat a pound of her shit!" The sorceress here gauges her success by volume rather than weight, presumably indicating with her outstretched hand the height reached by the amount of excrement consumed.

[352] 47B.

the body is in some way inclined, the man is more liable to lust and anger and such passions, being inclined to acquiesce when these passions swell up.

Because the foregoing ideas are difficult to preach, they should be explained in an easier manner as a warning for the congregation. The cures by which those affected in this way by sorcery can be released are treated in Part Three.[353]

### *The manner of propounding the foregoing discussion about the love felt for a mistress in sermons to the congregation*

When someone preaches about the foregoing topics, he raises the question whether it is a Catholic proposition to assert that sorceresses have the power to turn the minds of men to the irregular love of other men's women and to set their hearts ablaze to such an extent that no
49C shaming, blows, words | or deeds can force them to give these women up, and likewise whether they can incite a couple joined in marriage to such hatred that they have no occasion to return or demand the matrimonial debt[354] for the sake of progeny, but instead these men sometimes have to run across large distances to their inamoratas in the silence of the dead of night.[355] About these matters let the preacher adopt, if he wishes, some arguments from the preceding question. Otherwise, let him merely say that these questions suffer from difficulties in terms of love and hatred. Since these emotions are based in the will, which is always free in its action and cannot be forced by another creature except by God, Who can guide it, it seems that neither a demon nor a sorceress through his virtue can force the will in the direction of love or hatred.

Also, since the will, like the intellect, exists in a subjective[356] sense element in the soul and only He Who created the soul is able to slide into the soul, this question suffers from a difficulty in terms of unraveling the truths in their parts. Nonetheless, despite these difficulties, it is necessary to speak, first, about infatuation and hatred, and, second, about sorcery committed against the power to procreate.

[353] Actually, Pt. II, Q. 2, Ch. 3 (164A).

[354] I.e., the sex "owed" to a spouse.

[355] This last clause is reminiscent of the Canon "*Episcopi*."

[356] "Subject" is the technical term in Thomas's philosophy for the thing upon which incidental qualities depend and for the "material" in which a "form" is manifested. Hence, "in a subjective sense" means that the will as an ontological entity exists in the soul (see Aq., *Sent.* 2.34.1.4). (The same conception appears as an authorial addition to a quotation in 144D.)

About the first topic. | Although a demon is unable to work on 49D
man's intellect or will without an intermediary, nonetheless according to all the Doctors of Theology (in the *Commentary on Pronouncements*, Bk. 2 in the section on the virtue of the demon [2.8.1.5]) they can, in their workings, act on the body and on the faculties of the body attached to the body (both the internal or external perceptions), if God permits. This is proven by authority and by reason on the basis of the preceding question.

If the preacher wishes, he will find the material; if not, let him cite authority and reason. Job 2[:6]: "To the demon God said, 'Behold, Job is in your hand,"' that is, in the demon's power. This was in terms of the body, because he did not wish to give power over the soul. Hence, He said, "But nonetheless, preserve his soul" (same verse), that is, "preserve it unharmed." Reason.[357] When He gave power over Job's body, He also gave it over all the faculties attached to the body, like the five external and four internal faculties (common sense, fantasy or the power to imagine, the power of estimation, and the power of memory).

If no other explanation is possible, let an illustration about pigs and sheep be given. In this, pigs know how to return through the power of memory, and sheep distinguish wolf and dog on the basis of natural imagination, one being the enemy and the other the friend of their nature. | Consequently, since every act of recognition in our intellect 50A
takes its origin from perception, it being necessary according to the Philosopher in Bk. 2 of *The Soul* for the person using his intellect to view fantastical images, therefore a demon darkens the intellect in the same way that he can change the internal fantasy. This will certainly not mean acting without an intermediary on the soul but through the intervention of the fantastical pictures.

Also, as for the fact that only what has been recognized is loved, let illustrations be given at one's discretion about the gold that the greedy man loves because he understands its virtue and so on. For this reason, once the intellect is darkened the will is also darkened. A demon can do these things both with and without a sorceress, and, indeed, they can even happen as a result merely of incautious use of the eyes.[358]

[357] I.e., up to now the argument has been by authority, as indicated at the end of the preceding paragraph.

[358] This peculiar statement comes from Nider, who is the source for this whole passage. According to Nider, the three sources of irregular infatuation are 1) incautious use of the eyes, 2) temptation by a demon alone, and 3) an act of sorcery by nigromantics and demons together.

We will pass on a few illustrations about each. As it says in James 1[:14–15], "Each person is tempted when seduced and enticed by his lusting. When this lusting conceives, it gives birth to sin, and then, when sin is consummated, it begets death." In the same way, "After Shechem saw Dinah going out to see the women of the area, he fell in love with her,
50B seized her and slept with her, and his soul was glued | to her" (Gen. 34[:2]). According to the gloss, "This is what happens to a weak soul. When, like Dinah, it disregards its own business and attends someone else's, it is led astray by habit and is united in a unity of feeling with impermissible acts."

About the second topic,[359] that even without sorceresses it[360] sometimes arises mainly as a result of the temptation of demons, the basic explanation is as follows. "Amnon fell in love with his very beautiful sister Tamar, and he became so desperately in love with her that on account of his love for her he grew ill" (2 Samuel 13[:1–2]). For no one would stoop to the great crime of incest except someone entirely corrupted and greatly tempted by the Devil. Hence the gloss on that passage: "This gives us warning – and this is the reason why God gave His permission – that we should always act with caution so that vices will not hold sway in us and so that the Prince of Sin,[361] who promises a false peace to those in danger, will not slaughter us unexpectedly, when he finds us made ready."[362]

About this second kind of love, the *Book of the Holy Fathers* is full of reports, stating that although they had removed every temptation of carnal lust from themselves, nonetheless they would sometimes be tempted by the love of women more than can be believed. Hence, in
50C 2 Corinthians 12[:7] the Apostle says, | "An angel of Satan who was to box my ears was given to me as a goad to the flesh." Here the gloss says: "He was given to me through temptation by lust. Temptation that is not complied with is not a sin but material for practicing virtue. This is understood to mean temptation from the Enemy and not that from the flesh, which is always at least a venial sin, even if it is not complied with." The preacher will also be able to cite other examples if he wishes.

[359] This reference to a "second topic" has been carelessly carried over from Nider (for his division of the topic, see preceding note). Hence, the preceding paragraph treated Nider's first topic (temptation through vision), which is the last in the reworking here (50A). The same mistake is made with the "third" topic in 50C, which is the second topic in 50A.

[360] I.e., infatuation.

[361] I.e, the devil.

[362] The source (Nider) has an incorrect reading here, and "made ready" should be "unprepared."

About the third,[363] that the love felt for a mistress derives from demons' acts of sorcery, this is discussed above, and this is the kind of temptation that we are speaking of.

If someone asks how it could be discerned that this sort of irregular love comes not from the Devil but only from sorcery, one should say that this can be discerned on several grounds. First, if someone tempted in this way has a beautiful and respectable wife and the opposite is generally agreed to be the case with the other woman, and so on. Second, if his rational capacity to judge is completely fettered so that he cannot be induced to give her up by any blows or words or deeds or attempts to shame him. Third, especially when he sometimes cannot restrain himself from | traveling unexpectedly, either by day or by night, across a 50D great distance despite the roughness of the journey, as anyone can learn from the confessions of these people. For just as Chrysostom says in *On Matthew* [37] on Ch. 20 [actually, 21:2–7] concerning the ass that Christ rode, when the demon possesses a man's will through sin, he drags the man where he wishes, virtually at his own discretion. Chrysostom gives an illustration about a ship at sea that has lost its rudder and is tossed about at the discretion of the wind. This situation is just like that of the man who is stoutly powerful on a horse and a king holding the possession of a tyrant. Fourth, it is discerned in the fact that they suddenly and unexpectedly get carried off,[364] and they sometimes undergo a change so that nothing can stand in their way. It is also inferred from the bad reputation of the woman herself.

Before we go on to the further[365] question about acts of sorcery affecting the power to procreate, the arguments must first be solved.

*The responses to the arguments follow*

Responses to the arguments.

[RA 1] As for the first, that man's will | is guided by God in the same 51A way that his intellect is by a good angel, the solution is clear. Just as the intellect is only enlightened by a good angel so that it recognizes the truth, and as a result love of the good follows, because the truth and reality are interchangeable concepts, similarly the intellect can be darkened by a bad angel so that it recognizes a seeming truth. This happens through the mixing up of the images presented as real to the

[363] See n. 359.
[364] For the ambiguity of "carried off," see n. 410. Here it presumably means "go riding" a horse.
[365] As indicated at the end of 49C.

origins of perception, that is, to the internal virtues and faculties of perception, and as a result of this there follows an irregular love of the seeming good, for instance, the physical pleasure that such people seek.

[RA 2] As for the second, that they cannot exist within bodies when changing them, this is partly true and partly not, with reference to three sorts of change. They cannot change bodies in terms of educing[366] some form, whether substantial or incidental – this ought in fact to be called an act of production rather than a change – without the help of something else that serves as the agent or without God's permission. If
51B we are speaking of a change | in quality, for instance health or illness, as is clear from the foregoing, they can introduce various forms of illness, even to the point of fettering the reasoning process, and in this way cause irregular hatred and love. A third change can also be added. This happens when a good or bad angel slides into the body. This is the way in which we say that God alone slides into the body, that is, into the essence of the soul, but when we say that an angel slides into the body, especially a bad angel in the case of those possessed, he does not in that case slide within the boundaries of the essence of the body, because only He Who grants it being,[367] namely God the Creator, can slide in in this way and He is contained there as the one who holds the inner working of the soul.[368] Nonetheless, the angel is said to slide into the body when he performs some work on it, since he is in the place where he is working, as John of Damascus [*Exposition of the Orthodox Faith* 1.13] says. In that case, he is working within the boundaries of the mass of the body and not within the boundaries of the essence of the body, and from this it can be inferred that the body has boundaries in a double sense, namely in mass and essence (the distinction is like that between the individual
51C manifestation and nature).[369] Hence just as | they can slide into the body, so too can they slide into the powers attached to the organs of

[366] This is a technical term for the act of creating (literally "drawing out") something from the material that held the potential of giving rise to that thing and in which that thing previously existed as a potentiality.

[367] Another etymological play in the Latin: the abstract noun "essence" is derived from the infinitive "being" (*esse*). As the grantor of *esse*, God alone can enter the body's "essence."

[368] This sentence is a somewhat garbled recapitulation of Aquinas *Sent.* 2.8.1.5.Ra3, where he argues that an angel can enter the "mass" (*quantitas*) of the body, but cannot enter its "essence" (see preceding note), which is the soul, and since the soul derives from God alone, he alone can enter it.

[369] Here, "nature" signifies the qualities that define a given group, while the "individual manifestation" contains incidental qualities that do not pertain to the definition of the group. For instance, a given automobile partakes of the qualities (the "nature" of automobiles) that define all automobiles, like having engines and tires, while at the same possessing other qualities that pertain only to it, like being rusty and blue. This sentence is a later elaboration of Aquinas's argument.

the body and consequently make impressions on those powers. Hence, such a working and impression incidentally makes a repercussion on the intellect since its object is a mental picture, like a color that has been seen, as is stated in Bk. 3 of *The Soul* [3.3]. Consequently, the repercussion's effect incidentally extends as far as the will, because the will receives its object from the intellect by its appraisal of the good, in that the intellect grasps something by its appraisal of the true and the seeming good.

[RA 3] As for the third, "recognizing the thoughts of the heart" is meant in two ways, according to whether these appear in their effect or exist in the intellect. In the first way, not only an angel but even a man can recognize them, though the angel does so more subtly, as will be explained. For a thought is sometimes recognized not merely through an external act but even through a change in the facial expression, and physicians are in fact able to recognize some mental desires through the pulse. For this reason, Augustine says in *The Divination of Demons* that sometimes,|when certain signs from the spirit are expressed on the body, 51D
angels can, with total ease, thoroughly learn not only the inclinations of people that are uttered verbally but also those that are conceived in thought. In the *Book of Retractions* [2.30], however, Augustine says that no claim should be made as to how this happens. I think that he made the retraction in case someone said that he had felt that a demon recognizes thoughts in the intellect.

In the other way, it is possible for thoughts to be recognized just as they are in the intellect and for wishes to be recognized just as they are in the will. It is only God Who can recognize the thoughts of hearts and the wishes of wills in this way. The explanation of this is that the will of a reasoning creature is subordinate to God alone, and only He Who is its basic object and final goal can work on it. Accordingly, those things that exist in the will or are derived from the will alone are known to God alone. It is manifest that someone's actual consideration of things is derived from the will alone, because when someone possesses the habit of knowledge[370] or the intelligible images that exist in it, he makes use of them when he wishes.

This is also proven on the basis of what has already been stated, namely that|an angel cannot slide into the soul. Therefore, he cannot by nature 52A
see the things that are in the soul, for as long as they are in the inner recess of the soul. Hence, when the argument is made that a demon cannot see the thoughts of hearts and therefore cannot incite men's hearts (minds)

[370] "Habit" is a technical term in Aquinas whose sense is stronger than normal English usage suggests. A "habit" is a tendency in someone that has become ingrained to the point of being a characteristic. Hence, the "habit of knowledge" is the rigorous application of logical thinking.

to love or hatred, it is said that just as he recognizes them, that is, by their results, in a more subtle manner than a man can, he can also change them to love or hatred in a more subtle manner by setting fantastical pictures in motion and darkening the intellect.

There is also something that should be brought to the attention of fearful and virtuous consciences to console them, and this is that the perceptible external bodily change that accompanies man's thoughts is sometimes so weak and indefinite that the Devil cannot use it to reach a sure recognition of his thought, especially when people devote themselves on an alternating basis to study and good works, in which case he harasses these people in dreams instead. Experience demonstrates this. Sometimes, the bodily change is so strong and definite that through it the demon can recognize the thought in terms of category, for instance that
52B he is thinking about envy or debauchery, but whether he can | use this change to recognize the thought with certainty in terms of all the circumstances, for instance that it concerns this or that person, we leave as a doubtful point, just as we have found it. It is true, however, that he can afterwards recognize such circumstances from actions.

[RA 4] As for the fourth, it is clear that although it is appropriate for God alone to slide in, nonetheless to slide into the body and consequently into the faculties attached to the body in the manner treated above can be appropriate for an angel, whether good or bad, and as a result love and hatred can be caused in such a person.

[RA 5] As for the argument that the power of perception is more dignified than that of nourishment, which cannot, however, be changed by a demon, it should be said that to the contrary he could also control the power of nourishment so that something would be digested into bone or flesh more quickly or more slowly, but he does not co-operate in this in the way that he does in impeding or stirring up the internal or external forces of perception. The reason for the latter work is the gain that he achieves in very large measure from deceiving the senses of perception and playing games on the intellect.

[Note on Sources
Major identified sources for Q. 7:
Aq., *On Evil* 3.3, 4, 5
*Sent.* 2.8.1.5
*Summa* 1.57.4; 1.78.4
Nider, *Ant Hill* 5.5
*Praec.* 1.11.13]

## QUESTION EIGHT: WHETHER SORCERESSES CAN IMPEDE THE FACULTY TO PROCREATE (THE SEXUAL ACT), | WHICH IS THE KIND OF SORCERY MENTIONED IN THE BULL 52C

[TT] SECOND,[371] THIS SAME TRUTH, namely that adulteresses, female fornicators and so on are more frequently sorceresses, is shown by the impediment of the act of the faculty to procreate that is caused by sorcery.

[AG 1] In order for the truth to become more evident, it is first argued that it is not possible, because if such an act of sorcery were possible, it could also happen to married people, and if this is granted, then since matrimony is the work of God and sorcery the work of the Devil, the work of the Devil will be stronger than the work of God. If, on the other hand, it is granted that it happens only to fornicators and not to married people, then the view will return that sorcery does not exist in the reality but only in people's opinion (the opposite of this was treated in Question One)[372] or an explanation will have to be given for why these things can happen to one group and not the other. While it seems that there is no other underlying reason except that matrimony is the work of God (and this reason is not, according to the theologians, conclusive, as is clear in *Commentary on Pronouncements*, Bk. 4, Dist. 30, "On the impediment caused by sorcery" [4.1.3]), there still remains the argument that the work of the Devil will be stronger than the work of God, and since | it is inappropriate to claim this, therefore it is also inappropriate 52D to claim that the sexual act can be impeded through sorcery.

[AG 2] Likewise, the Devil cannot impede acts of the other natural forces, like eating, walking and having an erection, which seems to be true on the grounds that they[373] would be able to destroy the entire world.

[AG 3] Also, since the sexual act is the same in respect to every woman, then if it is impeded, it is impeded in terms of every woman.

[SC] But this is false, and therefore so too is the first argument. That it is false is shown by experience in that those who say that they have been affected by sorcery are potent in respect to other women (though not in respect to those whom someone cannot know,[374] because he does not wish to, and so cannot).

[371] This is the second topic indicated in 45B.
[372] 7D–8A.
[373] I.e., the demons.
[374] I.e., carnally.

[SC 2] To the contrary and in support of the truth is Chapter "*Si per sortiarias*" (34, Q. 8) and also in the pronouncement of all theologians and canonists, when they deal with the impediment to marriage caused by sorcery.

[SC 3] Likewise, reason points in this direction, since the power of the demon is greater than that of a man and a man can impede the faculty to procreate, whether through very cold plants or through other
53A impediments and so, | as someone can imagine, and therefore the demon, who possesses keener knowledge, can do this to a greater degree.

[CO] Response. On the basis of two matters that were discussed above, the truth can become sufficiently clear, though the manner of impeding was not explained in theoretical terms. It was stated that sorcery does not exist solely in the opinion of men as if it were non-existent in reality, but rather countless effects from sorcery can happen truly and really with God's permission. It has also been shown that because of its greater corruption God gives more permission regarding the procreative force than regarding other human acts.

It should be noted with reference to the way in which this impediment is brought about that a demon does so not only in connection with the force of procreation but also in connection with the force of imagination or fantasy. About this Peter de Palude notes five ways in the *Commentary on Pronouncements*, Bk. 4, Dist. 34. He says that because he is a spirit, the demon has power over a bodily creature to restrain or cause its movement in location, and that for this reason he can sometimes impede bodies from approaching a creature by directly or indirectly interposing himself
53B in an assumed body, as happened to the fiancé who | had become engaged to an idol and nonetheless contracted a marriage with a young girl but could not know her because of this. The second way is to make a man conceive a burning desire for that act or make him cool off towards it by secretly applying the virtues of objects that he knows to be effective for this. The third way is by stirring up the estimation and the imagination. He thereby renders the woman loathsome, because he can, as was stated, make an impression on the imagination. The fourth way is by directly suppressing the hardness of the member suitable for propagation in the same way that he can also suppress movement in location. The fifth way is by halting the sending of spirits to the limbs in which the virtue of motion resides, as if closing off the seed's paths to prevent it from going down to the vessels of procreation or from departing or coming out or being sent forth from them. There are also many other ways.

He also adds what was treated by the other Doctors above, speaking in agreement with them. God gives a greater permission regarding this act, by which the first sin is spread, than regarding other human acts. The case is the same with snakes, which are more useful for enchantments than are other animals.

A few sentences later he says the following. | The same is the case 53C
with a woman, in that the demon can derange her imagination to such an extent that she considers her husband loathsome, so that she would not let him know her for all the world. Later he wishes to give a reason for why men are more affected by sorcery in connection with this act than are women, and he says that because this impediment is sometimes made through blockage of the vessel or by motion through suppression of the stiffness of the member, things that can be done better and more easily in the case of men, more men than women are affected by sorcery.

Someone could also say that the reason is that more women than men are superstitious and wish to entice men more than women, or that they do this to disgrace a married woman. The result in each case is that they create an opportunity for committing adultery when the man can know other women but not his own. Similarly, the wife can be seeking other men as lovers. He also adds that God gives more permission to the demons to act savagely against sinners than against the just. Hence, the angel said to Tobias, "The demon receives power over those who devote themselves to lust" [Tobias 6:17]. (He sometimes receives it against the just, as in the case of Job, but not in connection with the power of procreation.) For these reasons | they ought to make confessions and 53D
do other good deeds, lest the application of medicine be vain when the sword remains in the wound. This is what Peter says.

There will be an explanation about the removal of such an effect in Part Three[375] of the work.

### *Incidentally, some doubtful points are explained*

Incidentally, if it is asked why it is sometimes impeded in respect to one woman and not another, the response according to Bonaventure is the following. Either a fortune teller or a sorceress changed the Devil to this end in respect to the intended person, or God did not allow a impediment in respect to a given person. For God's hidden judgment is concealed here, as is clear in the case of Tobias' wife [Tobias 6:17]. He

[375] Actually, Pt. II, Q. 2, Ch. 3 (164A–166A).

adds that if it is asked how the Devil does this, one should say that he impedes the power to procreate by harming, not the organ through an internal impediment, but the use of it through an external impediment. Hence, because it is a impediment caused by art and not by nature, he can bring about in terms of one woman a impediment that he does not bring about in terms of others by removing the arousal of lust in
54A connection with her and not with | another (by his own virtue or with a plant or a stone or some other hidden nature).[376] These statements are consonant with the words of Peter de Palude.

Also, since this sometimes happens in connection with the faculty for this act as a result of a frigidity[377] of nature or a natural defect, if it is asked how it can be discerned whether or not it has happened as a result of sorcery, Hostiensis' response in the *Summa* [4.15.13] – this should not be preached in public – is that when the rod[378] is in no way aroused and the man could not know the woman, this is a sign of frigidity, but when it is aroused and grows stiff but he cannot complete the job, it is a sign of sorcery.

It should further be noted that sorcery is practiced not merely to prevent someone from being able to carry out this act, but sometimes it is also practiced to prevent a woman from conceiving or to cause her to miscarry. Note, however, that according to the penalties of the Canons everyone who, for the sake of fulfilling the lust for vengeance or for hatred, does to a man or woman something because of which he or she cannot beget or conceive is considered a murderer (*Extra* [*Decretum*], "Murder" "*Si aliquis*"). Note that this chapter is speaking in
54B general terms about lovers in the secular world who, | in order to avoid censure, cause such things in their girlfriends without the aid of demons through potions or through certain plants that make the nature very frigid. Therefore, if penitent, they should be punished as murderers. On the other hand, sorceresses who cause such things through sorcery should be punished with the ultimate penalty according to the laws, as was mentioned above in Question One.[379]

As a solution to the arguments in which a difficulty is raised as to whether such things can happen to those joined in marriage, it should further be realized that although the truth about this is not clear on the basis of the topics that have been discussed, nonetheless such things

[376] Here "nature" refers to the particular characteristic of some item rather than the broader concept of the natural world. In this sense, the term is synonymous with "virtue."
[377] Here meant literally, i.e., sexual dysfunction is the result of a "coldness" of the temperament.
[378] I.e., the penis.
[379] 9C–10A (on the penalties, not the causing of miscarriages).

can really and truly happen to those in marriage just as they can to those out of it. The careful reader who has access to books will find that both theologians and canonists (especially in the *Extra* [*Decretum*] on the topic "Frigid People and those Affected by Sorcery" [4.15], and in the *Commentary on Pronouncements*, Bk. 4, Dist. 34) agree with each other and refute two errors, particularly with reference to people joined in marriage. The advocates of these errors seemed to hold the view that such sorcery cannot take place among those joined in marriage, being motivated by the old arguments that the Devil cannot destroy the works of God.

The first | refutation made by the theologians and canonists rebutted 54C
those who said that there was no such thing as sorcery in the world but that it existed only in the opinion of people who, out of ignorance of the hidden causes that no humans are able to know, ascribed natural effects to acts of sorcery, as if it were not hidden causes but demons by themselves or through sorcerers that were producing these effects. Though this error is refuted by all the Doctors under the rubric of simple falsity, it is attacked more keenly by St. Thomas when he condemns it as heresy, saying that this error is rooted in heresy, and since lack of faith in the case of a Christian is called heresy, such people are justly suspected as heretics. (This topic has also been discussed in Question One,[380] though there it was not explained in this manner.) For if someone considers other sayings of the Holy Doctor in other passages, he finds reasons why the Doctor asserts that this error is rooted in heresy. In the treatment of demons in *Questions on Evil*, in Q. 1 [16.1] (whether demons have bodies that are naturally attached to them), | among other things described there, 54D
mention is made of those who ascribed individual effects to the virtues of the heavenly bodies, to which they said that the hidden causes for the lower results were subordinate. He says that it should be considered that the Peripatetics (the followers of Aristotle) did not hypothesize the existence of demons but said that those things that are ascribed to demons derive from the power of the heavenly bodies and of other natural things. Hence, Augustine says (*City of God*, Bk. 10 [10.11]) that Porphyry thought that with plants, and with stones, and with certain animate creatures and sounds, and with words, and with certain configurations and formations observed in certain motions of the stars in the turning of the sky, the powers of the stars suitable for producing various effects were fabricated by humans on earth. From these statements the error

[380] 7D–8A.

is obvious. They ascribed everything to the hidden causes of the stars, the demons merely being fabrications based on the conjectures of men. That this hypothesis is false is demonstrated manifestly by St. Thomas (same passage) on the basis of the fact that certain actions of demons are
55A found that can in no way | derive from some natural cause. For example, when someone possessed by a demon speaks an unknown language, and many other works of demons are found in the case both of those possessed with prophesy and of the nigromantic arts, which can in no way derive from anything but some intellect, being good by nature at least, though evil by will. For this reason, other philosophers were forced by the inappropriateness mentioned to hypothesize the existence of demons, though afterwards they fell into various errors. Some thought that souls leaving the body become demons, as a result of which many diviners killed children so that they would have their souls working with them, and many other errors are described here. Hence, it is clear that it is not unjust for the Holy Doctor to say that such a view is rooted in lack of faith. If someone wants to, let him read Augustine in Bks. 8 and 9 of *The City of God* about various errors of the faithless regarding the nature of demons. Therefore, the general reasoning of all the Doctors, cited in the aforementioned distinction, against those who hold such errors (those who deny that there is any such thing as sorcery) is also
55B very compelling as a pronouncement, | though it is short in words. Here they say that those who claim that there is no such thing as sorcery in the world contradict the pronouncements of all the Doctors and of Holy Scripture, which explains that there are demons and that demons have power over the bodies and imaginations of men with God's permission, as a result of which sorcerers can in fact work wonders on creatures through these demons. Hence, the tools of those demons and those at whose insistence the demons sometimes work to harm creatures are justly called sorcerers [Lat. "*malefici*," lit. "evildoers"].

Indeed, while in the refutation of this first error by the Doctors no mention is made of people joined in marriage, nonetheless their inclusion is clear in the refutation of the second error. For the Doctors say that it was the error of others that although sorcery did exist and was widespread in the world even against copulation, nonetheless, because no act of sorcery can be considered permanent, it could never terminate a marriage already contracted. Look, mention is made of people joined in marriage!

As for their rebuttal of this error, while to explain this is irrelevant to
55C the issue at hand, nonetheless, for the sake of those who | do not have access to the books, it should be noted that they made the condemnation on the grounds that they say that to make such claims is contrary to the

proof of experience and to ancient and modern laws. Hence, Catholic Doctors make the distinction that impotence caused by sorcery is either temporary or permanent. If temporary, it causes no impediment, and it is presumed to be temporary when those living together for less than three years and striving as much as they can to be healed, whether through the Sacraments of the Church or through other cures, cannot. If, on the other hand, they are not healed by any cure, then the impotence is presumed to be permanent. In that case, it predates the contraction and consummation of the marriage and in this way impedes the contraction of a marriage and terminates one already contracted, or it follows the contraction of the marriage but not the consummation and in this way too, as some say, it terminates a marriage already contracted (33, Q. 1, Ch. 1 says that marriage is strengthened by duty, namely that of the flesh, according to the gloss), or it follows the consummation of the marriage and in that case | it does not terminate the bond of marriage. More notes 55D
are made on that passage (*Extra* [*Decretum*] "The frigid" and so on) by Hostiensis and Geoffrey and the Doctors, as well as theologians (cited above).

As for the arguments.

[RA 1] As for the first, the response is clear enough from the statements already made. In the first place, it is not valid to insist that the works of God can be destroyed through the works of the Devil if sorcery could take place among people joined in matrimony. Rather the opposite is clear, since the Devil has no power except by God's permission. Also, because he can destroy not through violence like a tyrant but through a certain external art, as was explained above.[381]

[RA 2] As for the second, it was explained above[382] why God gives His permission for power over this (sexual) act rather than over other acts, and why the demon also has power over other acts when God gives His permission. Hence, it is not a valid argument that he would destroy the world.

[RA 3] As for the third, there is a similar explanation from the previous statements.

[Note on Sources
Major identified sources for Q. 8:
Aq., *On Evil* 16.1
*Sent.* 4.34.1.3
Nider, *Ant Hill* 5.5]

[381] The point is made several times, but presumably 45D is meant.
[382] 45C–D.

## QUESTION NINE: WHETHER SORCERESSES WORK ON MALE MEMBERS THROUGH THE ILLUSION OF CONJURING AS IF THESE LIMBS WERE COMPLETELY PULLED OUT OF THE BODY

56A [TT] THIRD,[383] THE SAME TRUTH is explained through the Devil's workings on the male member, and in order for the truth of this matter to become more evident, it is asked whether sorceresses are able to take away male members really and truly through the virtue of demons or merely through an appearance caused by conjuring.

[AG1] It is argued by an a fortiori argument that they can really and truly do so. Demons have greater powers, such as that of killing people or moving them in location, as was explained above in the case of Job and the killing of the seven husbands in Tobias. Therefore, they can also really and truly take away the limbs[384] of a man.

[AG 2] Also, the gloss on the passage "inflictions by evil angels" (a psalm [77:49]) says, "God punishes through evil angels in the same way that He often punished the people of Israel by really and truly inflicting various debilitating diseases on their bodies." Therefore, he[385] can also inflict such illnesses on that member. If someone says that he has this power by God's permission, then in that case it was said in the preceding questions that God gives greater permission for the power to procreate to be affected by sorcery because of the first corruption of sin that descends
56B to us through the act of begetting, and therefore He also | gives greater permission concerning the member used in the faculty of procreation, so that the demon takes it away entirely.

[AG 3] Also, the transformation of Lot's wife into a pillar of salt (Gen. 19[:26]) was a greater act than that of taking away the male member, but that was a real and true change and not a merely apparent one, since that pillar can still be seen, as is reported. This transformation was performed by an evil angel, just as the people felt the compulsion of the good angels, who had previously struck them with blindness, in order that they would not be able to find the door of the house. This was also just like the other punishments of the inhabitants of Sodom, the commentary on the same passage also claiming that she was tainted with that vice too. Therefore, the demons can also do such things.

[383] This is the third method by which sorceresses obstruct procreation, as laid out in 45B.

[384] The Latin *membrum* signifies both "limb" in general and the male "member" in particular, and the use of the plural here must refer to more than just the sexual "limb."

[385] I.e., the Devil.

[AG 4] Also, whoever can produce a natural shape can also take it away. Demons have induced natural shapes many times, as is clearly the case with the magicians of Pharaoh, who made frogs and snakes through the power of demons [Exodus 8:7, 7:11–12].

[AG 5] Likewise, Augustine says (*Book of Eighty-Three Questions* [actually, *Twenty-One Pronouncements* 4]) that it is not ridiculous to believe that all these things that are in fact done visibly by the lower powers of the air can be done.[386] Humans are able to bring it about that the member is taken away by some art or cutting. Therefore, demons too have the power to do invisibly these things that others can do visibly.

[SC]‖ But to the contrary, Augustine says (*City of God*, Bk. 18 [18.18]), 56C
"It should not be believed that a man's body can in fact be transformed into the outlines of a beast by the craft or power of demons," and therefore, by similar reasoning, he cannot take away that which contributes to the reality of the human body. Likewise, he says (*The Trinity*, Bk. 3 [3.8]), "It should not be thought that the substance of things visible here serves those sinful angels at their beck and call. Instead, it serves God alone."

[CO] Response. No one doubts that sorceresses perform certain miraculous works with reference to male members. Indeed, on the basis of what very many people have seen and heard and indeed on the basis of general repute, there is general agreement that the truth about that member was recognized through the sense of sight or touch.

As for how this can happen, one should say that while it can happen in two ways, namely really and truly, as the first arguments mentioned, and by the working of conjuring, those acts that are performed by sorcerers with reference to such things are performed only through the illusion of conjuring. This illusion does not, however, take place in the imagination of the person affected, since his imagination can really and truly estimate that the thing is not present, | (he does not perceive its presence through 56D
any working of the external sense, namely vision or touch). Hence, it can be said that there is a true removal of the member from the point of view of the imagination of the person affected, though not from that of the thing itself.

As for how this happens, several things should be noted. First, the two ways in which such things can happen. It is no wonder that the Devil can

[386] The text of Augustine has been garbled; it should read, "it is not ridiculous to believe that all the things that are in fact done visibly can be done by the lower powers of this air." The phrase "this air" signifies the lower atmosphere in which people live (as opposed to the atmosphere of the heavenly orbs).

deceive the external human senses, when he can play tricks on the inner ones that were discussed above by bringing out preserved forms to the origins of their perception. He deceives them in their natural working, so that what is visible is invisible to the person, what is touchable is untouchable, what is audible is inaudible, and so on with the other senses. This truth makes no such assumption from the point of view of the thing itself, because everything happens as a result of a change of the organs that aid the functions of seeing, hearing and so on. Such organs are, for instance, the eyes and hands, and when these are changed, the judgment of perception is now tricked.

We can illustrate these facts from certain natural phenomena. In the case of someone with a fever, sweet wine seems bitter because of his tongue having been tainted, and as a result his taste is deceived (from the point of view not of the thing but of the humors), and similarly in the other case there is no deception from the point of view of the thing
57A (rather the rod is attached), | but there is a deception from the point of view of the organ of sense.

Again, in the way that was discussed above with regards to impeding the power to procreate through the interposition of some other body of the same color and appearance, they can also interpose a smooth body that is fashioned with flesh color between the vision of the eyes and the touch of the hands on the one hand and the real body of the person being affected on the other, with the result that in his own judgment the person can see nothing but a smooth body that is not interrupted[387] by any member. Let the words of St. Thomas be examined in the *Commentary on Pronouncements*, Bk. 2, Dist. 8 Art. 5 [2.8.1.5] on the illusions of conjuring and similarly in *Second of the Second*, Q. 91 [actually, 95.3] and in *Questions on Evil* [16.9]. There he often cites the quotation of Augustine from the *Book of Eighty-Three Questions* [2]: "This evil creeps in through all avenues of perception. It adopts shapes, it adorns itself in colors, it clings to sounds, it subordinates itself to smells, it suffuses itself with flavors."

Also, reason indicates that it is not only through the interposing of some perceptible body without a male member that such an illusion of conjuring is brought about in the person seeing and touching but
57B also by the method by which certain preserved spirits | (images) are brought out to the person's internal sources of perception,[388] namely to

[387] In its smoothness, it would seem.

[388] "Source of perception" is the rather unsatisfactory translation for the Latin *principia sensitiua*, a term which derives from Aquinas *Summa* 78.4. *Principium* (lit. "beginning") is the Latin term

the imagination and fantasy. As a result of this, it happens that something is imagined as if it were being derived from the external sense for the first time. As was discussed in the preceding question,[389] demons can change bodies in location by their own virtue, and as a result of the transformation of the spirits and humors they[390] do happen according to the working of nature. I say that some things are seen naturally in terms of the imagination or sense of perception because in *Sleep and Wakefulness* [2] the Philosopher too says, when assigning the cause of the apparition of dreams, that a large amount of blood descends to the source of perception when an animal has fallen asleep, and at the same time movements or impressions left behind after the motions of the perceptible objects also descend, these impressions being preserved in perceptible spirits (these technical terms are explained above),[391] so that at that time certain things appear as if the senses were being changed for the first time by the external things. Since nature can do this, a fortiori the Devil can bring forth to the power of fantasy and imagination the forms (pictures) of a perceptible body that is not equipped with a male member, | with the result that from this the senses form a judgment as 57C
if this were the case in reality. In the same way, as will be explained below,[392] people appear to be animals, though they are not in reality.

Second,[393] note should be made of other ways that are easier to understand and preach. Conjuring is, according to Isidore (*Etymologies*, Bk. 8, Ch. 9), nothing other than a delusion of the senses, especially of the eyes, and the word is derived from "*prestringo*" ["bedazzle"] because it bedazzles the vision of the eyes in such a way that things seem other than how they are. As Alexander of Hales says (*Part Two*), "Properly speaking, conjuring is an illusion of the demon. This has no cause from the point of view of a change in the object but only from the point of view of the perceiver, who deceived, in terms of either the internal or the external senses." Hence, speaking in general terms about the art of conjuring on the part of humans, | let us say that this can happen in 57D

used to translate *arkhe* in Aristotle and signifies the "source from which something proceeds." The English derivative "principle" refers to an abstract notion from which a concept derives, but in the discussion adapted here Aquinas clearly has in mind some physical property or faculty in the head to which the images derived from the sensory organs travel and "cause" the mind's perception of the external thing.

389 Actually, Q. 7 (46A–52B).

390 The antecedent of this is not clear. Presumably, "such perceived images" or the like is meant.

391 48A.

392 Q. 10 (59B–55D).

393 As laid out in 56D.

three ways. One is without demons, and this is better termed "illusion," because it happens artfully through manipulation on the part of people who show or hide certain objects, as happens in the sleight of hand performed by clowns and mimes.

Another way also takes place without the virtue of demons, inasmuch as it takes place naturally through the virtue of natural bodies, particularly minerals. Those who possess these things are able, in accordance with a certain virtue inherent to these things, to show an object or make it appear different from the way that it in fact is. Hence, according to Thomas (*First Part*, Q. 114, Art. 4) [actually, *Sent.* 2.8.1.5.Ra4] and many others, the smoke of a certain plant, when it is kindled at the bottom or top, makes planks appear to be snakes.

The third sort of deception is the one that happens through demons, though with God's permission. As has been explained, by nature demons have a certain power over lower objects that they can exercise over them when God allows, so that at that time things appear other than the way that they are.[394]

58A In connection with this, it should be noted, | third,[395] that there are five ways in which a demon can use an illusion on someone so that he judges an object to be other than the way that it is. The first way is with an artful sleight of hand, as has been said. For whatever a human knows how to do by art, a demon can know better. The second way is the natural use of some object, in the manner already stated. He interposes some body so that another body is concealed, or achieves his end with people's fantasies by throwing them into confusion. The third way is when in an assumed body he shows himself to be something which he is not. Gregory speaks of this way in a story about a nun in Bk. 1 of *Dialogues* [1.4.7]. She ate a lettuce, but as the demon himself confessed, this was not a lettuce but the demon in the guise of a lettuce or in the lettuce itself. The same thing also happened to Anthony in connection with an ingot of gold that he found in the desert. It is also the same when he conceals a real human and makes him seem to be a dumb animal in a way that will be described later.[396] The fourth way is when, for instance, he disturbs the organ of vision so that a thing that is clear seems cloudy or conversely an old woman seems a young girl. For after a bout of crying the light also looks different than it did before. The fifth way is to work on the faculty of imagination and bring about a transformation of

394 56C–58B.
395 As laid out in 56D.
396 Q. 10 (59B).

the perceptible pictures | by stirring up the humors in the way that was 58B
discussed above,[397] so that in that case seemingly fresh and new visions are produced in the powers of perception.

In the last three ways and also in the second one, the Devil can impose an illusion upon a man's senses through the art of conjuring, and hence there is no difficulty to keep him from hiding the male member through the art of conjuring. Let a clear indication or proof from experience that was revealed to us when we were serving as inquisitors be set down below in the Second Part[398] of the treatise, where many accounts about this and other deeds are related.

### *How sorcery can be distinguished from a natural defect*

An incidental question with certain other difficulties. If the following question is posed: "Peter has had his member removed, but he does not know whether it has been removed through sorcery or else through the power of a demon with God's permission. Are there ways of judging and deciding among these possibilities?" it is possible to give the answer that there are.

First, those to whom these things happen are for the most part adulterers or else fornicators, and hence when | they do not serve their girlfriends 58C
at their beck and call or when they wish to leave them and join themselves to other women, then the girlfriends cause such effects for vengeance or else cut off the potency of that member. Second, it is recognized as sorcery by its impermanence. For if it is not the result of sorcery, then it is not permanent but will recur on occasion.

In this case, there again arises a hesitation as to whether its impermanence is a result of the nature of the sorcery. The answer is that it can be permanent and last until death, as was also the case with the impediment of marriage caused by sorcery. Canonists and theologians judge that it is found to be both temporary and permanent. Geoffrey says in the *Summa* [4.15], "A spell of sorcery cannot always be broken by the person who cast it, because he is dead or because he does not know how to terminate it or because the spell of sorcery is ruined," (and from this we can likewise say that the sorcery inflicted on Peter will be permanent) "or because the sorceress who cast the spell cannot heal him." For sorceresses come in three varieties. Some heal and harm, some harm but are unable to heal, some | only seem to heal, that is, to remove injuries, as will be explained 58D

[397] 48A.
[398] This topic is treated in Pt. II, Q. 2, Ch. 7 (115A–118D), but no personal anecdote appears there.

below.[399] The following came to our knowledge. Two sorceresses were quarreling with one another, each upbraiding the other, and one said, "I am not really bad the way you are, because I know how to heal those whom I harm." Or the spell will last when the sorceress departs before he is healed, either by changing her location or by departing from this life. St. Thomas also says, "A given spell of sorcery may be permanent, so that it cannot have a human cure, because although it has a cure, this is unknown or is impermissible for a human, though God could offer a cure through a Holy Angel, applying compulsion to the demon, though not to the sorceress."

Nonetheless, the best cure for sorcery is the sacrament of Penitence (*Extra* [*Decretum*, Title] "The Frigid" [4.15]). For bodily illness also often results from sin (*Extra* [*Decretum*,] Title "Penances," "*Cum infirmitas*"). How spells of sorcery should be broken will also be explained in Part Three[400] of the treatise, and in Chapter Six of Part Two three other differences will be discussed.

59A *Solutions to the arguments*

[RA 1] As for the first, it is clear that no one doubts that just as they can kill people with God's permission, they can also take away that member (and other limbs, too), really and truly. But in that case, the demons are not working through sorceresses, who are the topic of the present discussion.

[RA 2] Through these statements the solution to the second is clear.

As for the argument that because God gives greater permission for the power to procreate to be affected by sorcery because (and so on), and therefore permission is also given for that member to be really and truly taken away, it does not mean that this is what always happens, because it would not be by means of sorcery that this happened, nor do the sorceresses affect this when they perform such works, since they do not possess the ability to restore the member when they are willing and knowledgeable. Hence, it is clear that it is not truly taken away but merely through the art of conjuring.

[RA 3] As for the third (the one about Lot's wife being transformed), this was a true transformation and not one performed through the art of conjuring, and the art of conjuring is what we are now discussing.

[399] 95D, 155C–156B.
[400] Pt. II, Q. 2 is meant.

[RA 4] As for the fourth (that demons can produce certain essential forms | and can therefore take them away), it is said with reference to Pharaoh's magicians that they made true snakes, and that demons can, with the help of something else as the agent, produce effects in connection with imperfect creatures that they cannot produce in connection with humans, since God cares more about them according to the passage, "Does God care about oxen?" [I Cor. 9:9]. Nonetheless, with God's permission, as has been said, demons can in fact always harm humans in a real and true manner or else by the art of conjuring. 59B

[RA 5] Through these statements the solution to the last argument is also clear.

[Note on Sources
Major identified sources for Q. 9:
Aq., *On Evil* 16.9, 11
*Sent.* 2.8.1.5
Nider, *Praec.* 1.11.1, 7]

## tenth question: whether sorceresses work on humans by turning them into the shapes of beasts through the art of conjuring

[TT] FOURTH,[401] the truth of their turning humans into beasts is explained.

[AG 1] As for how this happens, it is argued on the basis of Chapter "*Episcopi*" from the Council of Acquira[402] (26, Q. 5) that it is not possible for this to happen: "Whoever believes that a creature | can be created or changed for the better or worse or turned into a different variety or appearance except by the Creator Himself Who made everything and through Whom everything was made is without a doubt an infidel and worse than a pagan." Let us use the arguments of St. Thomas in the *Commentary on Pronouncements*, Bk. 3, Dist. 8 ("Whether demons can make an impression on the bodily senses by deceiving them through acts of conjuring." [*Sent.* 2.8.5.Ag4]), where he first[403] argues that they do 59C

[401] This is the fourth method by which sorceresses obstruct procreation, as laid out in 45B.
[402] A garbling of the erroneous notion that the Canon "*Episcopi*" was promulgated at the Synod of Ancyra (see n. 151).
[403] Since this is the fifth argument for the initial (incorrect) answer to the question, presumably "first" distinguishes this argument from the later (correct) view.

not. For the form[404] of the animal that is seen ought to exist somewhere, but it cannot exist merely in the sense of perception because a sense holds no image except what it has received from objects. There cannot exist a real beast there on the cited authority of the Canon, nor again can it exist in the object that is seen, for instance when a woman is seen as a beast, because two essential forms cannot exist in the same place at one and the same time. Therefore, since that animal shape that is seen cannot exist anywhere, it cannot be the case that an illusion of conjuring is being made in the eye of the viewer, since vision must necessarily be determined by some shape.

[AG 2] Also, if it is said that the shape in question is in the surrounding
59D air, | this cannot be so, because the air is not receptive of some form (image), because the air around that person cannot always remain one and the same on account of its fluid nature, especially when it moves, and also because in that case the transformation would be seen by everyone, which does not happen because it seems to be the case that the demons do not deceive the eyes of holy men, at any rate.

[AG 3] Also, the sense (or faculty) of vision is a passive faculty, but everything passive is moved by an active agent proportionate to it, and the active agent proportionate to the sense of perception is twofold. One is the thing that, as it were, originates the act, namely its object. The other is like an intermediary that, as it were, delivers it. Yet, the shape that is seen cannot be the object of the sense of perception or the intermediary that, as it were, delivers it.

Regarding the first argument[405] (that it cannot be the object), the reason is that it cannot be received from anything, as was discussed in the preceding question, since it is not in the sense of perception from the thing received, nor is it in the thing itself or even in the air as if in the intermediary of delivery, as was previously discussed in the third argument.

[AG 4] Also, if a demon sets the internal power of recognition in
60A motion, he does this either by showing himself | to the virtue of recognition or by changing it. He does not do so by showing himself because it would be necessary either to assume a body, in which case he would not be able to enter into the organ of imagination, since two bodies cannot exist at the same time in the same place, or by assuming a fantastical

[404] In medieval philosophy, "form" was the technical term for the abstract "concept" that defines a category.

[405] I.e., the first argument in the previous paragraph of the present (third) main argument (which is the sense of "third argument" at the end of this paragraph).

image, which likewise cannot be the case because a fantastical image cannot exist without mass and a demon lacks any mass. Similarly, he also cannot do this by causing a change, because he would make the change either by causing an alteration,[406] which it seems he cannot do because every alteration takes place through active characteristics that demons lack, or by bringing about a change in form or a movement in location, which seems to be unacceptable for two reasons. First, a change in form of the organ cannot take place without a sense of pain, and second, by this reasoning the demon would be showing the person only things already known, while Augustine [*Spirit and Soul* 28] says that the demon shows a person forms both known and unknown. Therefore, it seems that demons can in no way deceive a human's power of imagination or sensing.

[SC 1] But to the contrary, Augustine says (*City of God*, Bk. 18 [18.18]), that changes of humans into the shape of dumb animals | that are said 60B
to have been performed through the art of demons did not take place in reality but only in appearance. This would not happen if the demons were incapable of changing the human senses of perception.

[SC 2] Also, the authority of Augustine in the *Book of Eighty-Three Questions* [12], which was cited before, also indicates this: "This evil of the demon creeps in through all the entrances of the senses . . . "

[CO] Response. If the reader wishes to make an examination of the method of making a change, he will find the various methods in Chapter Six of the Second Part[407] of the work. For the moment, let us merely proceed in the scholastic manner and mention pronouncements of three Doctors that agree about the Devil's ability to deceive a man's fantasy so that a real person is seen as an animal. Among these pronouncements, the last is more subtle than the others and is that of St. Thomas.

The first is that of Lord Antoninus in the Pt. 1 of the *Summa*, Title 5 [actually, 2], Ch. Six, § Five, where he explains that the Devil sometimes works on a man's fantasy to cause a deception, especially in terms of imposing an illusion upon the senses. He bases his explanation on natural reasoning, the authority of the Canon and many varieties of proof through experience. The first is as follows. "Bodies are naturally subordinate to and obey the nature | of angels in terms of movement in 60C
location. Bad angels, even if they have lost Grace, have nonetheless not

[406] "Alteration" is the technical term for the process by which a characteristic (quality) of an object is changed by the action of another body.

[407] Actually, Ch. 8 of Pt. II, Q. 2 (118D–121A). The fact that the question is not specified may have to do with a change in the threefold division of the work as a whole.

lost their natural virtue, as was discussed several times above. Since the faculty of fantasy (imagination) is a bodily one, that is, one attached to an organ of the body, it is also naturally subordinate to the evil angels, so that they can change it in form by creating various fantasies through causing the humors and spirits to descend to the origin of perception." He adds, "This is also clear from the Canon (26, Q. 5, "*Episcopi*"): 'It should not be overlooked that certain criminal women, converting back to Satan and being led astray by the demons' illusions and fantastical images, believe and proclaim that during the hours of the night they ride on certain beasts with Diana, a goddess of the pagans, or with Herodias and with a countless multitude of women and pass over great stretches of the earth during the silence of the dead of night.' And below: 'Therefore, priests should preach to the congregation of God so that they know that these things are altogether false and that such images are inflicted on the minds of the faithful not by the divine spirit but by an evil-minded spirit.
60D | For it is Satan himself who transforms himself into the appearances and resemblances of different persons, and by deluding in dreams the minds that he holds captive he takes them on journeys through all sorts of places off the beaten path."'[408]

To be sure, the understanding of this Canon was discussed in Question One[409] in terms of the four things that should be preached, but to say that they cannot be carried off[410] when they affect this and are not impeded by the divine virtue would not be the proper understanding, because very often men who are not sorcerers are bodily transported over great stretches of the earth against their will. That it can happen in either way follows in the aforementioned *Summa*, and in Chapter "*Nec Mirum*" (same question)[411] Augustine[412] narrates that in the books of the pagans one can read about a certain female magician called Circe, who changed the companions of Ulysses[413] into beasts. This was feigned with acts of illusion through conjuring rather than being brought to pass in reality, when she altered the fantasies of the men.

This is made clear through further illustrations. One reads in the *Lives of the Fathers*, that because a certain young woman did not wish to

[408] This final quotation is an abridgement of the Canon "*Episcopi*."
[409] IIA.
[410] The Latin *vehi* may mean several things. It literally means "be carried," but may also signify "ride [a means of transportation]." This paragraph seems to play upon both meanings, contrasting the "riding" of the sorceresses with examples of people being "carried off." Note the similar usage in 50D.
[411] I.e., as the Canon "*Episcopi*."
[412] Ultimate source unknown, but he is quoted to this effect in the canon.
[413] The Latin form of the Greek Odysseus, the hero of Homer's *Odyssey*.

comply | with a young man who was importuning her for a base act, 61A
the young man was agitated as a result of this and had a certain Jew[414]
cast a spell of sorcery against her, and when this was done, the woman
was changed into a filly. This change existed not in terms of reality but
in terms of the trickery of a demon who changed the fantasy and the
sense of perception of the woman herself and of those who looked at
her, so that while really a woman, she was seen as a filly. Then, when
she was brought to St. Macharius, the Devil could not work in such a
way as to impose an illusion upon his senses as he had upon the others'
because of Macharius' holiness. For he saw her as a real woman and
not as a filly, and eventually she was freed from that illusion through
his prayers. She said that this had happened to her because she had not
devoted herself to Divine Service or attended the Sacraments regularly,
as she kept saying. For this reason, the Devil had held power over her,
although she was otherwise respectable. Therefore, the Devil can, by
stirring up the internal spirits and humors, work to change the operation
and power of nourishment, perceiving and desiring, and of any other
bodily faculty that makes use of an organ, according to St. Thomas (*First
Part*, Q. III). One can believe | that the same thing happened to Simon 61B
the Magician in connection with the incantations that are related about
him.[415]

But the Devil can do none of these things except by the permission of God, Who, together with His good angels, often suppresses his evil when he seeks to deceive and harm us. Hence Augustine says in speaking of sorcerers, "It is they who with God's permission stir up the elements, throw into confusion the minds of people who have less Faith in God" (26, Q. 5 "*Nec mirum*").

It is also by their working that it sometimes happens through the art of a sorceress that a husband cannot see his wife and vice versa. (This takes place by means of changing the fantasy by portraying the person to it as something hateful and horrible.) The devil himself also shows to the fantasy of those awake and of those asleep representations of base things in order to deceive them and lead them to an evil deed. But because sin resides not in the imagination but in the will, a human cannot sin as a result of fantasies like this that are offered by the Devil and of various alterations, unless he agrees to the sin by his own will.

[414] Jews were frequently considered to be practitioners of sorcery in medieval Europe.

[415] The story of Simon, a recently converted Samaritan who tried unsuccessfully to purchase from Peter and John the power of the Holy Spirit and thereby incurred Peter's wrath is told in Acts 8:9–24. Simon Magus was a popular figure in medieval tales of sorcery.

The second pronouncement to this effect is that of modern Doctors
61C who explain first what | conjuring is and how many ways there are in which the Devil can produce illusions like this. At this point, note that Antoninus cites the matters that were discussed earlier in Question Nine, and hence it is not necessary to repeat them.[416]

The third pronouncement is that of St. Thomas [*Sent.* 2.8.1.5.Ra4], and it is a response to the argument in which the question is raised as to whether the form of the beast that is seen is in the sense of perception or in the thing itself or in the surrounding air. This opinion is as follows. The form of the beast that is seen exists only in the primary internal sense of perception, and through the strength of the imagination it overflows in some way into the external sense of perception. Its presence there can take place through the working of a demon in two ways. One way is that the pictures, let us say of animals, that are preserved in the treasury of the imagination flow, through the working of the demon, to the organs of the internal senses of perception (this is also what happens in dreams according to the explanation above),[417] and accordingly when those pictures arrive, the organs of the outer senses of perception, for example vision, seem[418] as if the objects were present outside and were actually being perceived. The other way can result from a change of
61D the internal organs. | When these are changed, the judgment of the perception is fooled. This is made clear in connection with the person who has had his sense of taste ruined and to whom everything sweet seems bitter. This way hardly differs from the first. Even people can do this through the virtue of certain natural things. For instance, in the fumes of a certain kind of smoke the planks of a house are seen as snakes. Many proofs of this are found in experience, as was discussed above.

### *Solutions to the arguments*

As for the arguments.

[RA 1] As for the first, it is clear that that text is often cited and poorly understood. In terms of what it says about the changing of a form into another variety or appearance, an explanation has been given for how

[416] Actually, the material in Q. 9 does not seem to derive from the section of Antoninus cited in this question, which would seem to be the appropriate place to find it.
[417] 47D–48A.
[418] I.e., seem to operate.

this can happen through the art of conjuring,[419] but as for its saying that some creature cannot be made by the power of a demon, if "be made" is understood as "be created," it is obvious that it cannot. If, on the other hand, "be made" is understood as "be made through a natural act of bringing forth," it is certain that they can make certain imperfect creatures in this way.[420] St. Thomas [*First* 1.114.4.Ra2] explains how this happens (citation as above). He says that all changes of bodily objects that can be made through certain natural powers, including the seeds that are found in the elements | of this world (in the way that, for example, 62A
snakes and frogs and other such creatures leave their seeds in the earth or in the water), can occur through the workings of demons with the use of such seeds, when, for example, something is changed into snakes or frogs, which can be begotten through rotting. On the other hand, the changes of bodily things that cannot be made by the virtue of nature can in no way be carried out in reality through the working of demons, for instance, a human body being changed into the body of a beast or the body of a dead man coming back to life. If this seems to happen, it is an appearance caused by conjuring or the Devil performing in front of people in an assumed body.

These statements can be corroborated. In *Animals*,[421] where he asks whether demons or even, let us say, sorcerers are able to make true animals, Albert answered that they can with God's permission. This is so in the case of imperfect animals, but they cannot do so in an instant the way that God can, but with a certain motion, though it is sudden. This is clear in the case of sorcerers. On the passage in Exodus 8 [actually, 7:11], "Pharaoh summoned the wise men," | he says, "Demons 62B
scatter over the world and gather various seeds and through the use of them various varieties[422] burst forth." The gloss on the same passage says, "When sorcerers attempt to bring about some result through invoking demons by incantation, they scatter over the world and suddenly bring the seeds of the things that are the purpose of this activity, and in this way they bring forth new appearances of things from these seeds with God's permission." These matters were also discussed above.[423]

[419] 56A.
[420] Things are said to be "imperfect" if they do not fully participate in the characteristics that define the category into which they fall. These animals are imperfect because of the erroneous belief that they reproduced asexually (see 119B).
[421] Ultimate source unknown.
[422] I.e, of animals.
[423] Q. 3 (21B–26D, esp. 25B).

If some difficulty arises as to whether such deeds of demons should be called miraculous works, the answer has become clear from the foregoing, namely that even demons can perform some true miracles, to which the virtue of their specific nature extends. Although these are true miracles, they are not done by him[424] to bring about the recognition of the truth, and according to this sense the works of the Antichrist can be called lying signs,[425] since they are made for the purpose of leading humans astray.

[RA 2] The solution to the second argument is also clear. Let us speak of the subject[426] of the form. The form of the beast that is seen is not in the air or in the thing itself, as was made clear, but in the sense of perception, according to the explanation based on the pronouncement of St. Thomas (cited above [*Sent.* 2.8.1.5.Ra4]).

62C [RA 3] | As for the argument that every passive thing is moved by some active agent proportionate to it, this is granted, and when it is inferred that the shape that is seen cannot be the object that originates or elicits the action on the grounds that it is derived from no thing, it is said that it is in fact derived from something, because it is derived from a perceptible picture kept in the imagination that the demon can bring out and expose to the imagination or the faculty of perception, as was stated above.[427]

[RA 4] As for the last argument, one should say that a demon does not change the power of perception or imagination by showing himself to it, as has been demonstrated, but by altering it, to be sure altering it only in terms of movement in location because he cannot make an impression of new pictures by himself, as has been said. He makes the change by alteration, that is, by moving it in location, and he achieves this not by splitting the substance of the organ, which would result in a perception of pain, but by setting the spirits and humors in motion.[428]

As for the further objection that it would follow according to this conception that a demon would not be able to show to a person something

[424] I.e., a demon.

[425] A reference to 2 Thes. 2:9–10: "That iniquitous one, whose arrival is in accordance with the working of Satan in every virtue and in lying signs and prophesies and in every seduction of iniquity." This passage was part of the medieval elaboration of the notion that the Antichrist would establish a kingdom before the final return of Jesus and his establishment of the kingdom of heaven.

[426] I.e., the material or substance in which the "form" is manifested.

[427] 57B.

[428] The passage seems to indicate some distinction between *immutatio* ("change") and *transmutatio* ("alteration"), but the two terms are merely synonyms.

new | in terms of the imagination's vision, one should say that "something 62D
new" can be understood in two ways. In one way something is completely new in terms both of itself and its origins, and in this respect a demon cannot show a human something new in terms of the imagination's vision. For he cannot bring it about that someone born blind imagines colors or that someone born deaf imagines sounds. In the other way, the term "something new" is meant in terms of the appearance of the whole. For instance, if we call it a new thing in the imagination when someone imagines golden mountains that he has never seen, nonetheless, because he has seen both gold and a mountain, he can imagine by natural motion fantastical pictures of a golden mountain. In this way, a demon can offer something new to the imagination.

### *What view should be held about wolves, who on occasion snatch people and children from cradles and eat them; whether this too is made to appear by sorceresses through the art of conjuring*

An incidental question about wolves, who on occasion snatch 63A
people and children from houses and eat them, and who run about with great cleverness, so that they cannot be harmed or captured through any art or power. One should say that sometimes this has a natural cause, but sometimes, when this takes places through sorceresses, the cause is the art of conjuring.

Regarding the first explanation, Albert says in *Animals* [22.2.67], that it can result from five[429] causes. Sometimes the cause is an increase in famine in the same way that hinds and other beasts sometimes approach humans, sometimes it is their savage strength (this in cold climates) and also their having cubs. Because none of these explanations is relevant to the present issue, we say that these things happen through an illusion on the part of demons when God is punishing some nation on account of its sins after the manner of Leviticus 16 [actually, 26:22]: "If you do not carry out My commands, I will send against you beasts of the field to eat you and your herds,"[430] and Deuteronomy 32[:24]: "Teeth of beasts I will send against them with madness . . . "[431] Thus, as to the question of whether they are true wolves or demons in forms | that appear this 63B

[429] The source (Nider) actually cites seven reasons: 1) hunger, 2) savage strength, 3) old age, 4) experience of eating human flesh, 5) a rabid brain, 6) demons, 7) the judgment of God. In the adaptation here, not only are reason 3–5 omitted, but much of the material ascribed originally to the judgment of God (omitted as an overt category) is transferred to the demons.

[430] God tells Moses to make this threat against the Jews.

[431] More threats conveyed to the Jews by Moses.

way, one says that they are true wolves but are possessed or impelled by demons in two different ways. One way is without the working of sorcerers. This is what happened to the forty-two children killed by two bears who came out of the forest because they had derided the prophet Elisha by saying, "Go up, bald man" and so on [2 Kings 2:23]. So too with the lion that killed the prophet who was not fulfilling God's command (1 Kings 13[:24]),[432] and the story about the bishop of Vienne[433] who began the minor litanies before the feast of the Ascension of the Lord because wolves were entering cities and devouring people in public. The other way is also an illusion on the part of sorcerers. For instance, William (cited above[434] [*Universe* 2.3.13]) tells a story about a certain man who thought that he was turned into a wolf at specific times when he was lurking in caves. He entered these caves at a specific time and while he remained fixed there, he imagined that he became a wolf and went around devouring children. Since in reality it was merely a demon possessing a wolf that was doing this, he falsely thought while dreaming
63C that he himself was going around. | He remained deranged in this way until he was found lying in the forest hallucinating.

The devil delights in using such tricks to promote the error held by the pagans, who believed that people and old women were turned into beasts. Hence, it is discerned that when they cannot be harmed or captured through any art or power, such situations result from the specific permission of God and the work of demons and not from some natural defect. For instance, Vincent gives the following story in the *Mirror of History* (Bk. 6 [actually, 5], Ch. 40). "In Gaul before the Incarnation of Christ and the Punic War, a wolf snatched a watchman's sword from its sheath."

[Note on Sources
Major identified sources for Q. 10:
Antoninus, *Summa* 1.2.6.4
Aq., *On Evil* 16.11
*Sent.* 2.8.1.5
Nider, *Ant Hill* 1.11.7, 8, 9]

[432] A man of God was enjoined by him not to eat or drink along a journey he was taking, but the man was persuaded to do so by an old prophet, who mendaciously told him that God had changed his mind. After the man of God complied and ate and drank in violation of God's orders, God sent a lion to eat him.

[433] This refers to St. Avitus, who was bishop of this French town in the fifth century.

[434] This reference to an earlier citation is copied from the original source (Nider) and signifies nothing here.

## QUESTION ELEVEN: THAT IN VARIOUS WAYS MIDWIFE SORCERESSES KILL THE FETUSES IN THE WOMB AND CAUSE MISCARRIAGES, AND WHEN THEY DO NOT DO THIS, THEY OFFER THE NEW-BORNS TO DEMONS

FIFTH, SIXTH AND SEVENTH at once:[435] the aforementioned truth is proven through four horrific practices that | they follow in connec- 63D
tion with babies in the mother's womb. Since the demons carry out their practices through women and not through men, that infamous insatiable murderer[436] contrives to adopt women rather than men as his partners. These works are of the following kind. Canonists, who treat the impediment caused by sorcery more than do theologians, say (cited above) that sorcery is used not only to prevent someone from being able to carry out the carnal act, as was discussed above,[437] but also to prevent a woman from conceiving or, if she does conceive, to cause her to have a miscarriage. A third way is added along with a fourth in that in a case where they do not cause a miscarriage, they eat up the baby or offer him to a demon. There is no doubt about the first two ways, since without the help of demons a human can use natural means, like plants and other impediments, to cause a woman to be unable to beget or conceive, as was discussed above.[438] Regarding the other two ways, however, it should be asserted that they are caused by sorcerers, without it being necessary to adduce the arguments when these things are rendered believable by the clearest indications and proofs from experience.

Regarding the first way, namely that contrary to the inclination of 64A
human nature and in fact in violation of the condition of all beasts (with the exception of the species of wolves), some sorceresses devour and consume babies, it is the Inquisitor of Como[439] mentioned above[440] who reported these events to us. It was for this very reason that he was summoned by the inhabitants of the county of Bormio to conduct an inquisition. For when a certain man had lost a child from its crib, he went

[435] I.e., the fifth, sixth and seventh methods of causing an impediment to procreation; see 45B (the "aforementioned truth" is that they do so).

[436] I.e., the Devil.

[437] Q. 8 (52C–55D).

[438] 54B.

[439] Laurentius of St. Agata (Lorenzo Soleri Da Sant'Agata). A Dominican friar, he was appointed as inquisitor in a broad area in northern Italy in 1483 and held the position until his death ca. 1510 (though Como was turned over to a separate inquisitor in 1505). His inquisition in Bormio (Wormserbad, a German town in the southern Tyrol and now in modern Italy) is alluded to several times and seems to have made a strong impression on Institoris.

[440] He is not mentioned previously, and the reference on 108C seems to describe him as if for the first time.

in search of it, and when he saw a gathering of women at night time, he observed that the baby was being killed and eaten while liquor was being consumed. Accordingly, as was mentioned above, in a single year, which was in fact last year, the inquisitor consigned forty-one sorceresses to the flames, certain others taking flight to the dominion of Sigismund,[441] the Archduke of Austria. This report receives confirmation from certain writings of John Nider in his *Ant Hill*. The memory of him and of his writings is certainly fresh,[442] and because of them such occurrences are not unbelievable, as they seem.

In addition, in these practices midwife sorceresses cause greater losses than anyone, as penitent sorceresses have often related to us and to others,
64B | saying, "No one harms the Catholic Faith more than do midwives." In instances where they do not kill children, they take the baby out of the room as if to do something, and raising them up in the air they offer them to the demons.[443]

The method that is followed in crimes of this sort will be explained in Chapter Seven of Part Two.[444] It is necessary to undertake this question only after taking the preliminary step of deciding the question about divine permission. For it was said at the beginning[445] that three things necessarily contribute to the result of sorcery: the demon with the sorceress on the one hand, and divine permission on the other.

Next, divine permission should be considered, and four questions are asked about it. First, whether it is necessary for this permission to contribute to the result of sorcery.[446] Second, that it is just for God to permit a creature that is capable of sin, as a result of its nature, to commit the act of sorcery and other horrible crimes, the other two forms of permission being presupposed.[447] Third, that the crimes of sorcerers surpass all the evil deeds that God permits to be done.[448] Fourth, how
64C this material should be | preached to the congregation.[449]

[441] He lived 1427–1496; first duke, then (since 1477) archduke of Austria, he was also count of the Tyrol.

[442] He died in 1438. Though his writings have been used extensively in previous sections, this is the first time he is mentioned in the text. His name and reputation are cited here as nearly contemporary evidence for the cannibalism of modern sorceresses. Presumably this means that the author was aware of no other texts on sorcery that referred to this supposed practice.

[443] Cf. the confession quoted in 97B.

[444] Actually Pt. II, Q. 1, Ch. 13 (137A–141D).

[445] 20B.

[446] Q. 12 (64C–68C).

[447] Q. 13 (68C–70D).

[448] Q. 14 (with elaboration in Q. 15–Q.17) (71A–81C).

[449] Q. 18 (81D–85C).

[TT] IN[450] THE THIRD BASIC topic of the present Part One,[451] which deals with divine permission, the question is raised whether the endorsement of divine permission in connection with these works on the part of sorcerers is so Catholic a proposition that the opposite view (rejection of such permission) is altogether heretical.[452]

[AG 1] It is argued that it is not heretical to claim that God does not permit so much power to the Devil in connection with acts of sorcery of this sort. For it is a Catholic and not a heretical proposition to reject statements that can result in insult to the Creator. Rather, it is a Catholic proposition to claim that such power to harm humans is not permitted to the Devil. This is proven on the grounds that to claim the opposite seems to result in insult to the Creator. For it follows that not everything would be subordinate to divine providence, since to the extent that he can, every wise maker of provisions wards off defect and evil from his charges. Furthermore, since those things that happen through acts of sorcery, if they are permitted by God, are not excluded by Him, and if they are not excluded by Him, He will not be a wise maker of provisions, and in that case everything is not subordinate to His providence, which is false. Therefore, the idea | that God gives His permission is also false. 64D

[AG 2] Also, "God permits something to be done that He could impede if He wanted to or that He is unable to impeded even if He did want to." But neither of these statements can be appropriate for God, the first because such a being is considered hostile, the second because such a being is considered powerless.

Next, an incidental question is raised. "This act of sorcery happened to Peter, and God was able to impede it but did not. Therefore, God is hostile or does not care about everyone. If, on the other hand, He was unable to impede it even if He wanted to, then He is not all-powerful." Since it is not appropriate to claim any of these things (that God does

[450] The title to Q. 12 should precede this question, but apparently it was inadvertently omitted because the content of the question was described only at the beginning of the previous paragraph, which provides the general introduction to the topic of divine permission and goes on to describe the content of subsequent questions. The table of contents (3C) indicates that the title should have been something like: "Question Twelve pertains to the permission of God, which has to co-operate with the demon and the sorceress: whether it is so Catholic a proposition to commend divine permission in connection with the deeds of sorceresses, that the opposite position, that is, the rejection of the permission of God, is altogether heretical."

[451] The first two topics were the demon and the sorceress, as stated in 20B.

[452] This and the following question give an example of how the division of the text into "questions" is artificial and unsatisfactory. The refutations of the false initial arguments of Q. 12 appear at the end of Q. 13, which lacks its own arguments, while both questions have a "response" section. Note also that in the table of contents (but not in the main text) Q. 13 is referred to as an "incidental" question (meaning an elaboration of the proceeding one).

not care about everyone, and so on), the idea that acts of sorcery happen as a result of God's permission is also inappropriate.

Also,[453] whoever is left to his own control and is master of his own actions cannot be subordinate to the permission or providence of some ruler. Instead, humans are left to their own control by God according to the passage, "God established man in the beginning and left him in the hand of his own counsel" (Ecclesiasticus 15[:14]). Evil people are specifically left in their workings according to the passage, "He left them according to the desires of their heart" [Psalm 80:13].[454] Therefore, not all evils are subordinate to divine permission.

65A [AG 3] Also, Augustine says in | *Enchiridion* [17] (as does the Philosopher in *Metaphysics*, Bk. 9 [actually, 12.9]), "It is better not to know certain things than to know them," for instance base things. Everything that it is better should be ascribed to God. Therefore, God does not bother Himself about these very base works of sorcerers so as to permit them or not.

[AG 4] To the same effect, the Apostle says, "God has no concern for oxen" (2 [actually, 1] Corinthians 9[:9]), and similarly with the other irrational[455] creatures. Hence, whether or not they are affected by sorcery is of no concern to God, nor are these alternatives subordinate to His permission, which derives from His providence.

[AG 5] Also, the things that happen as a result of necessity do not need provident permission, just as they do not need prudence. This is made clear by the Philosopher in [*Nicomachean*] *Ethics*, Bk. 6 [6.5]: "Prudence is right reason about contingencies for which planning and choice are possible." Several effects of sorcery happen as a result of necessity, for instance, when illnesses or certain other things that we judge to be acts of sorcery happen as a result of some cause and of the influence of the heavenly bodies. Hence, such occurrences are not always subordinated to divine permission.

[AG 6] Also, if people are affected by sorcery with God's permis-
65B sion, | then the question is raised as to why this happens to one person rather than another. If it is said that this happens on account of the sins that are more abundant in one person than in another, this seems to be false, because in that case greater sinners would be more affected by sorcery. The opposite of this is apparent in that such people are less

[453] There is no rebuttal of this argument in the solutions.

[454] English numbering: 81:12

[455] Reason was considered a unique characteristic of humans, so animals could be referred to as irrational creations.

affected by sorcery in the secular world, just as they receive less punishment, in accordance with the passage, "It is well for all who commit trespass" [Jeremiah 12:1]. Next, the opposite is proven on the grounds that innocent children and other righteous people are more affected by sorcery.

[SC 1] But to the contrary, God permits evil to be done, though He does not wish it to, for the sake of perfecting the universe. Dionysius says, "There will be an evil that contributes to everyone's benefit, that is, to the perfection of the universe" (*Divine Names*, Bk. 3 [actually, 4.19]), and Augustine says, "The wondrous beauty of the universal totality consists of all things good and evil. Inasmuch as when that which is called evil is well ordained and set in its place, it more prominently commends the good things, so that they are more pleasing and praiseworthy through being compared to the evil things" (*Enchiridion* [10]).

[SC 2] Likewise, St. Thomas also disapproves of the opinion of those people who think | that while God does not desire evil things, since 65C
no creature has a desire for evil in the desiring of its nature or soul or intellect, which is the will, whose object is the good, nonetheless God wishes evil things to exist or be made. He says this is false because God neither wishes for evil things to be done nor wishes for them not to be done, but wishes to permit evil to be done, and this is a good thing for the sake of the perfection of the universe.

As for why it is erroneous to say that God wishes evil things to exist or to be done for the sake of the good of the universe, he says that something should be judged good only in terms of that which is its inherent role and not an incidental one. For instance, a virtuous man is judged good in the creation involving his intellect but not the one involving his soul. Furthermore, it is not inherently but merely incidentally that an evil is ordained for a good purpose, because the good turns out contrary to the intent of those who work the evil. For instance, it was contrary to the intent of the tyrants[456] that the endurance of the martyrs became famous as a result of their persecution.

[CO] Response. The more beneficial this question is to preach, the more | difficult it is to understand. That such horrible acts of sorcery as 65D
those discussed above are not permitted by God is the principal argument among those, not just of laymen but also certain philosophers, who are ignorant of the reasons for this divine permission. Their ignorance has resulted in the sorceresses not being suppressed with due vengeance,

[456] I.e., pagan Roman emperors.

and for this reason these philosophers now seem to be devastating all of Christendom. In order, then, to satisfy both the learned and the unlearned man alike according to the pronouncement of the theologians, a response should be given by way of discussing two difficulties. The first is that the world is subordinate to divine providence in such a way that God oversees everything directly, and the second, that as a result of the first two instances of permission concerning the fall of the angels and of the First Ancestors, it is just for Him to permit the universal totality of evils that are done in connection with the evils of guilt[457] or of penalty or of loss. From this, it will also become clear that a persistent lack of faith in these ideas smacks of heresy, since such a person implicates himself in the errors of the faithless.

66A As for the first, it is to be noted that when it is presupposed that | providence is appropriate for God according to the passage, "You, Father, rule all things with providence" (Wisdom 13[:14]), it is also necessary to claim that all things are subordinate to His providence in such a way that He does make provision for everything directly. In order for this to become clear, let us first demonstrate it through the refutation of a certain contradictory error.

In connection with the passage, "The cloud is His hiding place and He strolls around the cardinal points of Heaven without thought for our affairs" (Job 22[:14]), some men have, according to the teaching of St. Thomas (*First Part*, Q. 22 [22.2.Co]), developed a view positing that the only things subordinate to divine providence are incorruptible things (inasmuch as these are disembodied substances) and the heavenly bodies together with the categories of lower things, which are also incorruptible. The individual manifestations of the categories, on the other hand, they said, are not subordinate because they are corruptible.[458] Hence, they said that in this way all lower things that take place in the world are subordinate to divine providence only in a universal sense and not in a specific or individual one.

Because it seems inappropriate to others that God should not have a
66B greater concern for man than for the other animals, | Rabbi Moses [*Guide for the Perplexed* 3.17], wishing to take a middle position, said in agreement with the first group, that all corruptible things, like the individual

[457] This term will be used to render *culpa*, which may be synonymous with *peccatum* ("sin"), but differs in that while *peccatum* designates "sin" as such, *culpa* signifies the "guilty" act that qualifies as sin. The plural will be rendered as "instances of guilt."

[458] In effect, God is said to determine the eternal "rules" that govern physical existence but not the behavior of the specific individual agents generated by those rules.

manifestations of things, are not at all subordinated to divine rule, but that only the universals and the other things that have been mentioned are. He excludes man from that general category of corruptible things, doing so because of the dazzling nature of the intellect that man shares with the disembodied substances.

Thus, according to this view, whatever happens to humans in connection with acts of sorcery would result from God's permission, but whatever happens to animals and to the fruits of the earth would not. Though this view is closer to the truth than the one that denied altogether the providence of God concerning the affairs of the world and claimed, like Democritus and the followers of Epicurus,[459] that the world was created by accident, nonetheless it too is not free of much falsehood. For it is necessary to say that all things are subordinate to the divine providence, not merely in the universal sense but also in the particular, so that acts of sorcery affecting not merely men but also domestic animals and the fruits of the earth result from God's provident permission.

This is made clear in the following way. Providence | and the ordain- 66C
ing[460] of things extend to a goal to the extent that causality does, in the same way that by similar reasoning things subordinate to someone's control are subordinated to his providence to the extent that they are subordinate to him. Since the causality of God, Who is the primary agent, extends to all beings, not merely in terms of the origins of the categories but also in terms of the individual origins, and not merely of incorruptible things but also of corruptible ones, therefore just as all things have their existence from God, so too is provision made for all things by Him, that is, they are ordained for some goal. The Apostle treats this topic (Romans 13[:1]): "The things that are from God are ordained." It is as if it said, "Just as all things are from God, so too are all things ordained by Him and consequently subordinate to His providence," since the providence of God is known to be nothing other than reason, that is, the cause of the ordering of things towards a goal. Therefore, to the extent that all things take part in being, they are subordinate to divine providence.

[459] Democritus (b. ca. 460 BC) and Epicurus (341–270 BC) were advocates of the ancient cosmological theory known as "atomism," which among other things posited that the universe came into existence accidentally as the result of the random movement of its basic constituent elements known as "atoms" (not to be confused with the modern concept of the same name). The reference comes from Aquinas, who himself knew of these men and their theories only through Aristotle's references to them.

[460] To some extent, this translation of the Latin *ordinatio* is unsatisfactory, as the latter literally means "set in order" (a sense not self-evident in the English derivative) and the following discussion takes advantage of the two meanings.

Likewise, God has knowledge of all things not only in the universal sense (as universal entities) but rather also in the specific sense (as specific
66D entities),|and since God's knowledge relates to created things in the same way that the knowledge of an art relates to the things created by that art, therefore just as all things created by an art are subordinate to the order and providence of the art, so too are all things subordinate to the order and providence of God.

This discussion is not sufficient for it to be understood that it is just for God to permit evil things, including acts of sorcery, to be done in the world, even if we do understand the idea that He is a maker of provisions Who governs everything. For if this is granted, He would be obligated to ward off every evil from His charges, since we see it to be the procedure among humans that a maker of wise provisions wards off defect and evil from his charges to the extent that he can. Accordingly, in order to understand why God does not ward off all these evil acts, it should be noted that it is one thing to speak of a maker of provisions in a specific context and another to speak of one in the universal context. Since God is the maker of universal provisions for the entire world and is able to derive very many good things from specific evil things (for instance, the
67A endurance of the martyrs from the persecution of the tyrants and | the cleansing of the righteous or the proof of the Faith from the works of sorcerers[461] as will be explained), therefore God must not impede all evil things in order to avoid the result that the universe would lack many good things. Hence, Augustine says, "So merciful is Almighty God that He would not allow any evil act to exist among His works, if He were not so almighty and good that He can even create a benefit from an evil act" (*Enchiridion* [11]).

We also have an example of this in the actions of natural things. Although the ruination and defects that happen in natural beings are contrary to the intention of the particular nature of that being, for instance, when the ruination of being hanged as a thief befalls someone or that of being killed to serve as human food befalls animals, they are part of the intention of the universal nature, namely that humans should be maintained in their lives and goods, so that in this way the good of the universe is also maintained. For in order to preserve the varieties of beings, it is necessary that the ruination of one serve as the maintenance of the other. For the killing of animals maintains the lives of lions.

[461] The example about sorceresses is inserted into an argument borrowed from Aquinas.

*Regarding divine permission, it is explained that God could not have bestowed on a creature the quality of being without sin by nature* 67B

As for the second[462] point (that God justly permits the universal totality of evils, whether in connection with instances of guilt or penalties, especially now that the world is growing cold and declining towards its setting),[463] an explanation is given on the basis of two presuppositions that must necessarily be taken in advance as given. The first is that God cannot bring it about, or rather – to speak in fear of God[464] – it is not possible for a created nature like man or an angel to have the ability not to sin as a result of the status of his nature. The second is that it is just for God to permit man to sin or to be tempted. If these propositions are granted, then since it is an element of divine providence that every single creature should be left in its nature, it is necessary to say that on the basis of the foregoing it is impossible for God not to permit acts of sorcery from being done through the virtue of demons.

In the first place, that it was not possible to share with a creature the ability not to sin as a result of the condition | of its nature is shown 67C
by the Saintly Doctor in the *Commentary on Pronouncements*, Bk. 2, Dist. 23, Art. 1 [*Sent.* 2.23.1.1]. If this had been capable of being shared with some creature, God certainly would have done so on the grounds that all other varieties of goodness and perfection that are susceptible of being shared were shared, at least in general, like the personal union of two natures[465] in Christ, motherhood and virginity in Mary, the union of Grace in wayfarers,[466] the union of blessedness in the Elect,[467] and so on. Since, therefore, we do not read that this was shared with any creature, it being shared with neither man nor angel according to the passage, "Even among His angels He found perversity" [Job 4:18], it is certain that the ability to be without sin as a result of nature cannot be shared with man at least (though they find this through Grace).

Second, an argument holds to the effect that if this ability were susceptible of being shared and were not shared, the universe would

[462] As laid out in 64B.
[463] For this expression, see 2A, 16C.
[464] I.e., to avoid the presumptuousness implicit in saying that God *cannot* do something.
[465] I.e., divine and human. The exact relationship between the two was a major source of doctrinal dispute in late antiquity.
[466] I.e., the union with God that is granted by grace to those still on earth, who are metaphorically traveling (as "wayfarers") to join the homeland (*patria*) of God.
[467] I.e., those preordained for salvation.

not be perfect, its perfection consisting of the fact that all forms of goodness that are susceptible of being shared with creatures have in general been shared. It is also an invalid argument that since God is supremely powerful and in other regards created humans and angels
67D after His own likeness, He could in fact have bestowed | on a creature the ability not to sin as a result of the condition of its nature, or could have brought it about that the state of Grace that causes confirmation in good would be a part of the essential nature of an angel or man, so that in this way he might have confirmation in good according to his natural origin and natural condition, so that he would be able not to sin.

The first[468] argument is not conclusive, because while God is supremely powerful, just as He is supremely good, nonetheless He cannot bestow this ability, as a result not of His power being imperfect but of the creature being imperfect. This imperfection is considered first on the grounds that a man or angel cannot and could not receive this ability. The explanation is that since he is a creation, his being derives from the creator, in the same way that what is caused is derived from the cause of its being, and since "to create" means "to make from nothing," if something is left to its own devices, it is defective and is preserved for as long as it receives the influence of its cause. An illustration, if you wish, is provided by the candle, which sheds light for as long as it has wax. If this argument is granted, it is known that "God created man and left him in the hand of his own counsel" (Ecclesiasticus 17 [actually, 15:14]), and so too the angel since the beginning of creation.

68A This was brought about by free will. Just as it is characteristic of free will to act or refrain from acting, it is characteristic of it to withdraw and not withdraw from its cause, and because the ability to sin is the ability to withdraw from God as a result of the freedom of choice, therefore neither man nor angel could receive the ability not to sin, nor could the possession of freedom of choice and the ability not to sin be shared with him by God at the same time.

Another imperfection that results in the impossibility of sharing this ability with man or angel is that it implies a contradiction. Because these things are inherently impossible, we say that God could not do them, and we should instead say that creatures cannot receive such things as being alive and dead at one and the same time. The implication is that

[468] In the preceding paragraph.

someone would have free will allowing him to adhere or not to adhere to his cause and the ability not to sin. For if he is able not to sin, he is not able not to adhere to his cause, since it is a sin to adhere to changeable things after spurning the unchangeable good, and to spurn or not to spurn derives from freedom of will.

The second[469] argument | is also invalid, because if the Grace of Con- 68B
firmation became part of a creature's nature, so that from its essential origins it had the ability not to sin, then in that case it would not have the ability not to be deficient and not to sin as the result of some incidental gift and grace, but it would have this ability by nature, and in that case it would be God, which is absurd. This solution is mentioned by St. Thomas (above citation in the solution of the last argument [*Sent.* 2.23.1.Ra5]), when he says that whenever some incidental phenomenon that is present only as the result of the influence of a higher nature occurs in some nature, the lower nature cannot possess that incidental phenomenon unless it is made to possess the higher nature. For instance, if the air is lit up by fire in action, it cannot be the case that the air is by its own nature shiny in the action unless it becomes fire. I say,[470] therefore, that since Confirmation is present within a rational creature only through Grace, which is a certain spiritual light and a likeness of the enlightenment created within, it cannot be the case that some creature has Confirmation or Grace as a result of its nature unless it is made to possess the higher nature by being, let us say, of the same nature, which is altogether impossible.

Let us conclude that the ability not to sin occurs by nature in God 68C
alone on the grounds that just as He cannot be deficient as the result of His being, since He gives being to all things, He likewise cannot not be deficient in the rectitude of His goodness, since this occurs in Him because of the condition of His nature. All others who have the ability not to sin have this bestowed upon them as a result of the fact that they are confirmed in good by Grace, which results in their being made the sons of God and in their partaking, in a certain way, of the divine nature.

[Note on Sources
Major identified sources for Q. 12:
Aq., *Sent.* 2.23.1.1
*Summa* 1.19.9; 1.22.1, 2, 3]

[469] I.e., the second one at the end of 67C.
[470] This first person statement is actually in the source (Aquinas).

## AN EXPLANATION IS GIVEN REGARDING THE TWO FORMS OF DIVINE PERMISSION JUSTLY GRANTED BY GOD, AS A RESULT OF WHICH THE WORKS OF SORCERERS ARE JUSTLY PERMITTED, NAMELY THE DEVIL'S SINNING AS THE ORIGINATOR OF EVERY EVIL AND ALSO THE FALL OF THE FIRST ANCESTORS (QUESTION THIRTEEN OF PART ONE)

THE SECOND[471] QUESTION (AND at the same time proposition) is that it was just for God to permit certain angelic creations, whom He
68D could not have made without their being able to sin, to sin in fact and | to save certain creations that were created in a similar way with Grace (without any previous temptation), and that it was just for Him to permit man both to be tempted and to sin. All these ideas are explained as follows.

It is an element of divine providence that every single thing should be left in its own nature and not at all impeded in its natural works, because, as Dionysius says, "Providence promotes not the ruination of nature but its salvation" (*Divine Names*, Ch. 4 [4.33]). If this is granted, then since it is obvious that, in the same way that the good of the race is more divine than the good of one person ([*Nicomachean*] *Ethics*, Bk. 1 [1.1]), the good of the universe surpasses the individual good of each nature created in the individual sense, it is also necessary to realize that if sin were altogether impeded, many levels of perfection would be thereby removed, since the nature that could sin and not sin would be removed. If this is said, man would nonetheless have been able to, as a result of the condition of his nature, as was discussed before.[472]

Response.[473] If no sin had followed in action but immediate Confirmation had instead, then it would always be unclear what was owed to Grace in connection with good deeds towards God and what ability the
69A power to sin had had, | and many other things whose removal would certainly cause a great loss to the world. It was also fitting that he[474] should sin with no one giving a suggestion from outside but should instead

[471] As laid out in 64B. This question is defective in that it has no arguments of its own, and while it does have a "response" section, the solutions at the end answer the arguments laid out at the start of Q. 12 (see n. 452).

[472] 67B–68C.

[473] See n. 471.

[474] Given that the preceding paragraph discussed man, it is surprising that the topic should shift without notice to the fall of Lucifer. Perhaps this passage, which is mostly a patchwork of excerpts from Aquinas, was taken from some intermediary source and the author inadvertently omitted to add a transitional passage.

take up the opportunity to sin by himself, which he in fact did when he wished to be God's equal. This should be understood not in a straightforward sense or in a direct or indirect one, but merely in relation to something. This is explained by authority: "I will climb to Heaven and be similar to the All-Highest" (Isaiah 14[:14]). The sense is not straightforward and direct, because in that case he would have had a fettered and erroneous intellect in desiring something that was impossible for him. For he recognized that he was a creature created by God and that accordingly it was impossible for him to become God's equal. Nor is the sense indirect, because just as the entire good of an angel and creature consists of being subordinate to God in the same way that the entire brilliance of the air consists of being subordinate to the rays of the sun, the angel could not have desired this, because such a desire would have been contrary to the good of his nature. Instead, he sought equality with God not absolutely but in relation to something. The reason for this is as follows. God has two qualities through His nature, blessedness and goodness, and since it is from Him that every creature's | blessedness and 69B
goodness is transferred, the angel, seeing the dignity of the nature by which God stood above all creatures, wished and desired that all lower things should derive blessedness and goodness from him. He wished to do this through his own natural possessions, so that he would first have those qualities by nature and then all creatures would receive them from the nobility of his nature. Because he desired these things from God and wished to be under God so long as he had them, he did not in fact wish to be made God's equal in terms of the method of having them, but merely in relation to something.

Note in addition that because he attempted to bring his desire to action, he immediately revealed his desire to the others, and because the other angels immediately had a vision of the desire and a perverse unity in his desire, the sin of the first angel surpassed and preceded that of the others in the amount of guilt and in causality, though not in duration.[475] The result was that "The dragon, falling from Heaven, dragged the third part of the stars" (Apocalypse 12[:4]).[476] Leviathan is contained in the image, since he is king over all the sons of arrogance, and according to the Philosopher (*Metaphysics*, Bk. 5), a king is called the origin, to the extent that through his will and command he sets | his subjects in 69C

[475] Satan was conceived of as the first angel to fall from grace and heaven, the demons being the other angels who followed him in this fall.

[476] This image played an important role in the construction of the medieval conception of the devil from various biblical passages.

motion. Therefore, his own sin gave the others the opportunity to sin, so that while not having been tempted by any one outside himself, he tempted others from the outside.

As for the statement[477] that the working was instantaneous in connection with all of them,[478] this is illustrated with things perceptible to the senses. For the illumination of the air, the seeing of the color and the recognition of the object that is seen take place at once.

I have set down these matters at length in order that, when someone considers such astonishing divine permission regarding the most noble creatures on account of just one sin (ambition), how will he not admit that under certain circumstances specific instances of permission regarding the works of sorcerers are granted because of greater sins? For the sins of sorcerers surpass those of the angel and First Ancestors in various circumstances, as will now be explained in a second[479] question.

The fact that it was just for the providence of God to permit the first man to be tempted and to sin can be sufficiently understood from the statements already made about the sinful angels. Since man and angel were created and left in a state of free will for the same purpose, namely
69D that of not receiving the reward of blessedness | without merit, then, just as the angel was not preserved from his fall so that for the beauty of the universe the power to sin should be made manifest from the one and the power of the Grace of Confirmation from the other, this had to be the case with man's being preserved. Hence, St. Thomas says, "That from which God appears praiseworthy should not at all be impeded, and God appears praiseworthy even in connection with sins, since He forgives through mercy and punishes through justice. For this reason, He was obliged not to impede sin" (*Commentary on Pronouncements*, Bk. 2, Dist. 23, Art. 2 [*Sent.* 2.23.1.2.SC1]).

Let us return, only briefly and in recapitulation, to the topic at hand. Let us say that by God's just providence man is granted permission in connection with these matters for many reasons. The first is to demonstrate the power of God, Who alone is immutable, while every creature is changeable. The second reason is to demonstrate God's wisdom, which can derive good from evil. This could not have happened if God had not

[477] Although it is hard to tell here, this paragraph refers to the "vision of the desire and perverse unity in this desire" in 69B. Both passages derive from Aquinas's discussion of how the fallen Lucifer conveyed his purposes to other angels and thereby caused them to fall from grace and heaven too (and become demons).

[478] I.e., angels persuaded to fall from grace by Lucifer.

[479] I.e., the subsequent Q. 14 (71A).

permitted a creature to sin. The third is to make manifest God's mercy, in which through His own death Christ freed man, who was corrupted. The fourth is to demonstrate the justice of God, which gives not only the good their rewards but the evil their punishments. | The fifth is that 70A man should be of a condition no worse than are the other creatures, all of which God administers in such a way that He allows them to act by their own impulses. For this reason, He also had to leave man to his own control. The sixth is human praise. For it is the praise of a righteous man that he was able to transgress but did not. The seventh is the beauty of the universe, because just as evil is found in three forms (guilt, penalty and loss), good is conversely made beautiful in three forms (respectability, pleasurability, and utility). For respectability is beautified by means of guilt, pleasurability by means of penalty and the highest utility by means of loss.[480]

Through these statements the response to the arguments becomes obvious.

### *Solutions to the arguments*[481]

[RA 1] As for the first, in which it is said to be heretical to claim that the power to harm humans is granted to the Devil, the opposite, instead, is clear. For it is heretical to claim that God dismisses a sin without vengeance, just as it is heretical to claim that God does not permit man to sin in accordance with free will. | Such vengeance takes 70B place through the power to harm humans for the sake of the punishment of the evil and for the beauty of the universe, according to Augustine's statement in the *Book of Soliloquies*, "You have commanded, o Lord."[482] The result of this is that the ugliness consisting of guilt never occurs without the beauty consisting of punishment. Finally, the proof of the argument with the example of the maker of wise provisions, who wards off defect and evil to the extent that he can, is not valid, because it is one thing to speak of someone who has a specific concern and another to speak of a maker of universal provisions. For the first one cannot derive good from evil in the way that the universal overseer does, as was explained in the preceding discussion.

[RA 2] As for the second. It is clear that God's power on the one hand and His goodness and justice on the other are revealed by His permitting evils, and for this reason when it is said that either God can

[480] I.e., they become beautiful through contrast with their opposites.
[481] I.e., those of Q. 12 (64C–65B).
[482] Ultimate source unknown.

impede evils or He cannot, it is said that He can impede them but ought not to, for the reasons cited before. The insistence that He, therefore, wishes evil things to happen because He can impede them and does not wish to is also invalid, because, as was discussed in the arguments for the truth,[483] God cannot wish evil things to happen, nor does He wish an evil thing to happen or wish it not to happen, but He wishes to permit an evil thing to happen, for the sake of making the universe perfect.

[RA 3] As for the third. Augustine and the Philosopher are speaking of
70C human learning, for which | it is better not to learn of evil and base things for two reasons. First, we are sometimes impeded by these things from considering evil things, and this happens because we cannot understand many things at once. Also, thinking about evil things sometimes subverts the will in the direction of an evil act. These reflections are not relevant to God, however, since He understands all the works of men and sorcerers without any defect.

[RA 4] As for the fourth. The Apostle removed the concern of God from oxen in order to show that because a reasoning creature has control over his own actions through free will, as has been stated, so that something should be imputed to him as a guilt or merit and that a penalty or a reward should be given to him accordingly, God exercises a specific providence about this. According to these considerations, unreasoning things are not covered by providence. It would be heretical to wish to claim that according to this authority individual unreasoning creatures are not an element of divine providence, because this would be to claim that not all things are subordinate to divine providence, contrary to the endorsement of Holy Scripture regarding divine wisdom, which
70D "Strongly touches upon all things from beginning to end and | arranges them harmoniously" [Wisdom 8:1]. This would be the error of Rabbi Moses, as was explained in the arguments for the truth.[484]

[RA 5] As for the fifth. Man is not the originator of nature but uses the natural workings of art and virtue for his own use, and human providence does not extend to obligatory phenomena, like the rising of the sun tomorrow, that result from nature, though God's providence does extend to them because He is the moving force of nature. Hence, even if natural defects result from the course of natural events, they would still be subordinate to divine providence. For this reason, both

[483] SC 2 (65C).
[484] In the "response" section (66B).

Democritus and the other natural philosophers erred when they ascribed solely to material necessity whatever happened to lower objects.

[RA 6] As for the last. Although every penalty is inflicted by God because of sins, nonetheless acts of sorcery are not always inflicted on the greater sinners, either because it is not the Devil's wish to afflict and tempt those whom he sees he possesses with just title, or in order that they should not hasten to God in accordance with the passage, "Their illnesses were multiplied, and then they hastened . . . " [Ps. 15:4].

That it is because of sins that every penalty is inflicted by God is clear from the foregoing statements. For | according to Jerome whatever we 71A
suffer we deserve because of our sins.[485]

[Note on Sources
Major identified sources for Q. 13:
Aq., *Sent.* 2.5.1.2; 2.6.1.2; 2.23.1.2; 2.23.1.1, 2
*Summa* 1.22.2, 3]

### it is explained that the sins of the sorcerers are more serious than those of the evil angels and of the first ancestors, and consequently many innocent people are now suffering losses and being affected by sorcery because of the sins of sorcerers, just as the innocent are punished as a result of the instances of guilt on the part of their ancestors (question fourteen) (all this material can be preached)

[TT] REGARDING the heinousness of the crimes, it is asked whether the criminal deeds of the sorcerers surpass all the evil things that God permits and has permitted to happen from the beginning of the world until the present day, both in terms of instances of guilt and penalties and losses.

[AG 1] It seems that this is not so, particularly in terms of guilt. A sin committed by someone that he could easily have avoided surpasses the sin committed by someone else that he could not have so easily avoided. This is made clear | by Augustine [*City of God* 14.15]: "The iniquity 71B
in sinning is great when there is such ease in not sinning." Adam and many who sinned in a state of perfection (Grace) could have more easily

[485] Ultimate source unknown.

avoided their sins through the presence of Grace (especially in the case of Adam, who had been created in Grace) than could many sorcerers, who did not receive gifts of this kind. Therefore, their sins surpass all the crimes of the sorcerers.[486]

[AG 2] Also, in terms of penalty, a greater penalty is owed for a greater instance of guilt, and the sin of Adam was punished most severely, in that, as is clear, the penalty, along with the guilt, is shown to harm all his descendants in reference to the transference of original sin. Therefore, his sin is more serious than all other sins.

[AG 3] Also, in terms of loss. According to Augustine, "This is something evil because it removes a good thing" (*City of God* [14:15]). Therefore, when more good is lost, the guilt that precedes is greater. The sin of the First Ancestor inflicted a greater loss in aspects of both nature and
71C Grace, when it deprived us of innocence and immortality, which | was inflicted by no sin of his descendants. Therefore, and so on.

[SC 2] But to the contrary. That which encompasses more elements of evil is more evil, and the sins of sorceresses are of this kind. For with God's permission they can cause all evils in connection with the good things of nature and fortune, as can be concluded from the bull[487] of the Pope.

[SC 2] Also, Adam sinned merely by doing what is evil in only one way, being prohibited but not evil in its own right, but the sorcerers and other sinners sin by doing what is evil in both ways, being both evil in its own right and prohibited (for instance murder and many other forbidden acts), and as a result their sins are more serious than other sins.

[SC 3] Also, a sin that derives from a specific evil intent is more serious than a sin that is caused by ignorance, and as a result of much evil intent the sorceresses despise the Faith and the Sacraments of the Faith, as many have confessed.

[CO] Response. It can be shown in three ways that in terms of what is mentioned in the title of the question, the evils that are committed by present-day sorceresses surpass all the other evil things that God has ever
71D allowed to happen. | (This is the case in terms of the sins that happen in connection with perversity of character, though the case is otherwise with sins that are the opposite of the other theological virtues.) The first way is to compare their works in a general sense without distinctions to any crimes in the world, the second is to compare them specifically to

[486] For the location of the rebuttals of these arguments, see n. 508.
[487] I.e., *Summis Desiderantes*.

the manifestations of superstition arising from any agreement entered into with demons, and the third is to compare them to the sins of the evil angels and of the First Ancestors.[488]

The first is as follows. Evil takes three forms (guilt, penalty and loss) since there are three kinds of good to which they stand in opposition (the respectable standing in opposition to guilt, the pleasurable to penalty, and the useful to loss), and hence it is apparent that the guilt of sorceresses surpasses all other sins, as follows. According to the teaching of St. Thomas (*Commentary on Pronouncements*, Bk. 2, Dist. 22 Art. 2 [*Sent.* 2.22.2.2Co.]), in connection with a sin it is possible to take into consideration many things from which the seriousness or triviality of the sin can be deduced, and this is why it does happen that a single sin | is more 72A
serious in terms of one of these considerations but is found to be more trivial in terms of another. For instance, we can say that in fornicating, a young man is sinful but an old man is crazy. In any case, those sins are more serious that have not only more and more powerful circumstances but seriousness as sin in terms of the essential variety and extent of the sin. In this way we can say that the sin of Adam is more serious than all others in terms of certain circumstances, in that he fell after being assailed by a lesser temptation (being tempted only from outside) and also could have resisted more easily because of the original righteousness in which he had been created. But, while many sins followed that are more severe in terms of the variety and extent of the sin and in terms of other circumstances that aggravate a sin, among these later sins the ones that surpass all others are those of sorcerers. This conclusion can be reached even more clearly from two considerations.

A particular sin is said to be greater than another in causality, like the sin of Lucifer, | or in general applicability, like that of Adam, or in 72B
vileness, like that of Judas, or in the difficulty of gaining forgiveness, like a sin against the Holy Spirit, or in perilousness, like the sin of ignorance, or in the impossibility of removing it, like the sin of greed, or in the proclivity to it, like the sin of the flesh, or in the offence against God's majesty, like the sin of idolatry and lack of faith, or in the difficulty

[488] This conception does not express very well the substance of what follows. The first (general) comparison presumably refers to the present Q. 14 (note the word "first" at the start of the next paragraph). The second comparison (with the varieties of superstition) signifies Q. 16 (77D–81C). The "third" comparison consists of disparate sections of Q. 17: though the title of that question (80A) refers only to a comparison with the sins of demons (and such is the subject of the body of it), the solutions at the end of the question (81A–C) actually rebut the arguments of the beginning of Q. 14 (71A–B), which relate to the comparison of sorceresses' sins with Adam's; note that the comparison with the sins of the first ancestors is mentioned in the heading of the question (71A). Q. 15 is apparently ignored in this scheme.

of vanquishing it, like arrogance, or in mental blindness, like anger. Accordingly, apart from the sin of Lucifer the works of sorcerers surpass all other sins. The sorcerers are surpassing in vileness when they renounce the Cross, in proclivity when they practice filthy acts of the flesh with demons, and in mental blindness when in a spirit of completely evil intent they run amok for the purpose of committing every sort of injury against both the souls and bodies of men and domestic animals, as has been made clear by the foregoing statements. The name also shows this according to Isidore in that they are called evildoers ["*malefici*"]
72C because of the enormity of their crimes, | and so on, as was explained above.[489]

It can also[490] be concluded from the following. According to Augustine's statement [*Free Will* 1.11], "It is a sin to spurn the unchangeable good and to cling to changeable things," there are two elements in sin: turning away from it and turning towards it.[491] Since this turning away from God relates to form in the same way that the turning towards relates to matter, the more a human separates himself from God, the more serious a given sin is. Hence, because man is made most distant from God through lack of faith, the evil-doing of sorcery with its lack of faith[492] is even greater than all other sins. This is explained by the designation "heresy," which is also "apostasy" from the faith, and at the same time by the fact that the entire life of these women is a sin.

Regarding the first[493] consideration. The sin of lack of faith consists of struggling against the Faith, and this can be done in two ways, depending on whether the struggle against the Faith is conducted before or after the Faith has been accepted. The first variety is the lack of faith of the pagans (gentiles).[494] In turn, the second occurs in two ways, depending on whether the struggle against the Christian Faith is conducted when

[489] 15C.

[490] I.e., this is the second consideration mentioned in 72A.

[491] Aquinas conceived of sin as a "turning away from God and a turning towards some good that has been created" (*Summa*, 3.88.1.Co.). Therefore, since the absolute and eternal forms dwell with God and the secondary good that is being preferred to God consists of corruptible matter that is the manifestation of some form, the "turning away" can be said to relate to the forms, while the "turning towards" concerns matter (this conception is adapted from Aq., *Summa* 1/2.6.Co.).

[492] *Maleficium infidelitatis* is an untranslatable word play in Latin. In terms of the argument, it should mean "the evil act that is lack of faith," but the words can also be taken to mean "the sorcery of lack of faith."

[493] I.e., the one set out in 72B.

[494] The terms signifies "non-Jews," and while in a context involving Christians it has developed the specialized meaning of Christians in contradistinction to Jews (this is normal sense in modern English), in the context of the Old Testament it refers to the Jews' pagan, i.e., polytheistic, neighbors.

the Faith has been accepted in outline or as the manifestation of the truth. | The first manner is the lack of faith of the Jews, and the second 72D manner is that of heretics.

Hence, it is clear that the Heresy of Sorceresses is the most serious among the three varieties of lack of faith, and this is proven by reason and authority. 2 Peter 2[:21] says, "It would have been better for them not to have learned the path of truth than to turn back after learning it." It is proven by reason in that in their lack of faith the heretics, who profess to have faith in the Gospel and yet struggle against it and ruin it, sin more severely than do the Jews and pagans, just as the man who does not carry out what he has promised sins more seriously than the one who does not carry out what he has never promised. Again, the Jews sin more severely than the pagans, because after having accepted an outline of the Christian Faith in the Old Testament, they ruin it through misinterpretation, which the pagans do not do. Accordingly, their faithlessness is in fact more severe than that of the non-Jews, who never accepted | the Faith in the Gospel. 73A

Regarding the second,[495] which is also called "apostasy," Thomas says (*Second of Second*, Q. 12 [2.2.12.1.Co.]) that apostasy entails a certain withdrawal from God and the religious obligation that is brought about by the various ways in which man is joined to God, that is, by faith or by subordinating his will to obedience or by religious vows and clerical status. In accordance with this, Raymund [*Summa*, 1.5.2] and Hostiensis [*Summa*, 5.9.2] also say that apostasy is the rash withdrawal from the state of Faith or of obedience or of religious vows, and since the removal of the first element entails the removal of a later one but not vice versa, the first kind of apostasy surpasses the other two, that is, apostasy from the Faith precedes apostasy from religious vows or from clerical orders (about this kind of apostasy, see Dist. 48 [actually, 47], Ch. 9 "*Quantumlibet*" and 16, Q. 1 "*Legi non debet*"). Nonetheless, according to Raymund, even if one were to wander off to distant places for a long time, he is judged an apostate (runaway) only after he lives in such a way as to show that he has set aside the intention of returning (Pandect "On Warfare," [*Code of Justinian* 12.35] Law "*Desertorem*").[496] This would happen if he took a wife or the like. In the same way we consider it to be the apostasy | of 73B obedience when someone of his own accord despises the instructions of the church and prelates (regarding this apostasy, see 3, Q. 4, "*Alieni*").

[495] I.e., the second form of lack of faith, which consists of rejecting it after it has been accepted, as laid out in 72C.

[496] There is no such law.

Whoever is rendered of ill repute is debarred from giving testimony and ought to be excommunicated (11, Q. 3, "*Si autem*"). Hence, the kind of apostasy about which we are speaking, that of sorceresses, is called the apostasy of breaking the Faith.

It is also all the more serious in that it is implemented through an explicit agreement with the Enemy[497] of the Faith, reason and salvation. This is what the sorceresses have to do and what the infamous Enemy demands, either in whole or in part. We inquisitors have found some women who denied all the Articles of the Faith, but others who denied only a number of specific Articles, but they would always have to renounce the true and sacramental Confession. Hence, even the breaking of the Faith on the part of Julian the Apostate[498] seems not to have been so great, though in other regards he had committed greater crimes against the Church (on this kind of apostasy also see 2 Q. 7, "*Non potest*").

If someone raises the incidental question, "What if they retained the
73C Faith in mind|and heart" – which God alone and no angelic creature can examine, as was explained above – "but nonetheless rendered reverence and obedience to the Devil through their external acts?" it seems that the following should be said. The apostasy of breaking the Faith can happen in two ways. One is through the external acts of faithlessness without an explicit agreement entered into with demons, for instance, when people assume the Mohammedan way of life in the lands of the faithless or do so with an explicit agreement in Christian territory, and so on. If the former retain the Faith in the mind but renounce it by external act, they commit a mortal sin, though they are not apostates or heretics. This is how Solomon showed reverence to the gods of his wives.[499] No one is excused if he did this from fear, because, according to Augustine, it is more holy (some[500] have "better") to die of hunger than to feed on sacrifices to idols (32, Q. 4 "*Sacius*"). As for sorceresses, however much they may retain the Faith in their heart while renouncing it by their mouth, they are nonetheless judged apostates on the grounds that they have made a treaty with death and an agreement with Hell.[501]

[497] I.e., the Devil.

[498] Last pagan Roman Emperor. Born a Christian, he became attracted to paganism during his isolated childhood and openly declared his rejection of Christianity after being raised to the Imperial purple in 360.

[499] In order to please his numerous non-Jewish wives, Solomon honored their pagan gods (1 Kings 11:1–13).

[500] I.e., manuscript copies of the text.

[501] See n. 5.

Hence, in speaking of the similar acts of magicians and of those who 73D
in any way seek assistance from demons, St. Thomas says, "There is apostasy from the Faith in all of them because of an agreement entered into with a demon, either by word only, if an invocation is involved, or by some deed, even if sacrifices do not play a role. For a man cannot serve two masters [Matt. 6:24]." (*Commentary on Pronouncements*, Bk. 2, Dist. 7, last art. [*Sent.* 2.7.3.2.Co.]). To the same effect, Albert [*Sent.* 2.7.12.Co.] gives the following response on Dist. 8 [should be 7] (cited above), where it is asked whether paying attention to magicians and astrologers is a sin and apostasy from the Faith, "In such people there is always apostasy of word or work. If invocations are made, then an open pact is entered into with the demons, and in that case there is clear apostasy by words. If, on the other hand, it is done merely through a simple work, then it is apostasy by work. Since there is always an insult to the Faith in the case of all such people in that they expect from the demon what they should expect from God, it is always judged to be apostasy." See how clearly | they describe the two kinds of apostasy! They 74A
suggest a third kind, apostasy by heart, but even in the absence of this sorceresses are judged to be apostates by words and by works. Therefore, they ought to be subject to the penalties for both heretics and apostates, as will be explained.[502]

There is also in them a third[503] kind of heinous crime that surpasses all other heresies. If, according to Augustine, every way of life of the faithless is sin ([*Decretum*, Cause] 28, Q. 1 § Two and there is the gloss on the passage, "Everything that does not derive from the Faith is sin" (Romans 14[:23]),[504] what must one judge about their entire way of life, that is, about all the other works of sorceresses that are not, however, performed to please the demons, like fasting, going frequently to church, taking communion and so on?[505] In all of these acts they commit a mortal sin, which is explained as follows.

The taint caused by this sin is so great that although it does not altogether cut out the possibility of redemption, since sin does not ruin all the good in nature and the natural light remains in them, nonetheless, unless they are absolved by God, the homage they have rendered[506]

[502] 74C–75B.
[503] As laid out in 71D.
[504] Though Augustine is quoted in the section of the *Decretum* cited, the words attributed to him here in fact derive from the *Ordinary Gloss* on Romans 14:23.
[505] The point is that those accused or suspected of sorcery were sometimes people who were to all appearances pious. It was therefore necessary to explain away this inconvenient circumstance if such people were to be condemned. Cf. 110C.
[506] I.e., to a demon.

74B means that all their works, even | those belonging to the category of good ones, belong instead to that of bad ones, something that is not seen in the case of other faithless people. Thomas (*Second of Second*, Q. 10, [2.2.10.4]: "Whether every action of a faithless person is a sin") says that while the works of the faithless that belong to the category of good works, like fasts, the giving of alms and the like, do not bring them merit because of their lack of faith, which is the most severe of sins, nonetheless because sin does not ruin the entire good of nature and the natural light remains within them, not every act of theirs is a mortal sin. Instead, in their case, every act is a mortal sin if it derives from lack of faith or pertains to it, even if the act belongs to the category of good ones (for instance, a Saracen fasting to keep the law of Mohammed that enjoins fasting or a Jew celebrating his holidays, and the like). This is how to understood the passage of Augustine,[507] "Every way of life of the faithless is sin" (cited above).[508]

74C *That sorceresses deserve the most serious | penalties compared to all the criminals in the world*[509]

Next, that the crimes of these people surpass all the sins of others in terms of deserving penalty is explained, first, in regard to the penalty imposed on heretics, and, second, in regard to the penalty to be inflicted on apostates.

Heretics are punished in four ways according to Raymund [*Summa* 1.5.2]: excommunication, dismissal from office, confiscation of property, and physical death.[510] Regarding all these penalties, the reader will find information in "Sentence of Excommunication," "*Noverit*" for the first, in "*Qui contra pacem*" (24, Q. 1) for the second, in "*Quo jure*" (Dist. 8, Ch. 1) and "*Quicumque*" and "*Si de rebus*" (23, Q. 7) for the third, and in the same title ("Heretics") the first and second Chapters "*Excommunicamus*" for the fourth.

Very serious penalties are also incurred by those who believe, harbor, support and defend them. In addition to the penalty of excommunication that is imposed on them, heretics, along with their supporters,

[507] Ultimate source unknown, but the text is cited by Prosper of Aquitaine, *Pronouncements Excerpted from Augustine* 106.

[508] Since this marks the end of Q. 14 proper (the following section is noted in the main table of contents [3C] as being a separate discussion), one would expect the rebuttals to the introduction to appear here. Instead, they appear only at the end (81A–C) of Q. 17, which is explanatory of the present question.

[509] This is noted in the main table of contents (3D) as an explanatory topic for preaching.

[510] As opposed to the death of the soul imposed by God through damnation.

defenders and harborers, | and the children of all of these down to the 74D
second generation in the paternal line and down to the first level in the maternal line, are admitted to no ecclesiastical benefice or office (in the same title, Chapter "*Quicumque*" and Chapter "*Statutum*" in *Liber Sextus*). In addition, as a third penalty if heretics have Catholic children, the latter are deprived of inheriting from their father as a public indication of the repugnance felt for the crime. As a fourth penalty, if, after the error has been detected, he does not immediately wish to return to the Faith and abjure the heresy, he ought to be promptly burned if he is a layman. (Counterfeiters of money are handed over immediately for execution, and how much more so should counterfeiters of the Faith!) If, on the other hand, he is a cleric, after being ceremonially stripped from his rank, he is left to the secular court for execution. If, however, they return to the Faith, they should be cast into life imprisonment ("Heretics," first and second Chapters "*Excommunicamus*"). Such is the strict letter of the law. They are treated more mildly, however, after they make the abjuration that they are obliged to at the discretion of the bishop and inquisitor. This will be explained in Part Three[511] of the work, where the various | ways of sentencing such people will be dealt with (who should 75A
be termed "caught and convicted" or "relapsed").

It does not seem to be sufficient to punish sorceresses in these ways, since they are not straightforward heretics but also apostates, and furthermore in this kind of apostasy they do not renounce the Faith to humans on account of fear or the pleasures of the flesh, as was discussed above, but in addition to the renunciation they also do homage to the demons by offering them their bodies and souls. From these facts it seems probable enough that however much they repent and return to the Faith, they should not be imprisoned for life like other heretics but should be punished with the ultimate penalty. (This is also the dictate of laws, which order execution because of the temporal losses that they inflict in various ways on humans and domestic animals, as is demonstrated by the Laws "*Nullus*," "*Nemo*" and "*Culpa*" in Chapter "Sorcerers" of the *Code* [*Code of Justinian* 9.18.3, 5, 8]). It is a similar form of guilt to teach and to learn things that are prohibited, and here the laws are speaking in regard to fortune-tellers. How much more so in regard to sorcerers, when the laws say that the punishment of the fortune-tellers is the confiscation of their goods and decapitation! And if by this art someone | has solicited a woman for debauchery or the 75B

[511] 222A–254C.

other way around, he is exposed to the beasts, as is said in the same chapter in the Law "*Multi*" (such people were discussed in Question One).[512]

[Note on Sources
Major identified sources for Q. 14:
Aq., *Sent.* 2.21.2.2
*Summa* 1/2.71.6; 2/2.10.3, 4, 5, 6; 2/2.11.3; 2/2.12.1]

## question fifteen: it is explained that on account of the sins of sorceresses, innocent people are often affected by sorcery, though sometimes this is also because of their own sins

TO make sure that it does not seem inappropriate to anyone that by divine permission many innocent people suffer loss and are punished in connection with the foregoing varieties of harm on account of someone else's (the sorceresses') sins and not instances of personal guilt, St. Thomas shows (*Second of Second*, Q. 108 [108.4.Ra4]) that it is just for this to be done by God in three ways (speaking of the penalties in the present life). The first is when one man is the property of another, and the one person can be punished as a penalty for the other in the same way that a person is punished in connection with his goods. For
75C in their body children are a certain sort of property of their father, | and slaves and animals are that of their owners, and in this way children are sometimes punished in place of their parents. For instance, the son born to David from adultery promptly died[513] [2 Sam. 12:7–23] and the killing of the animals of the Amelechites was commanded[514] [1 Sam 15:2–3]. (In such instances there may also be some mystical rationale, as is stated in 1, Q. 4 § "*Paruulos*").[515] The second way is when the sin of one person is transferred to another. This happens in two ways.[516] One is through imitations. For instance, children imitate the sins of their parents, and

[512] 9C–D.
[513] King David lusted after Bathsheba, the wife of Uriah the Hittite, and secured her for himself by sending Uriah off to die in battle. As punishment, God killed the son of David and Bathsheba seven days after his birth.
[514] The prophet Samuel enjoined King Saul in the name of God to kill the Amelekites and all their possessions as punishment for their having waylaid the Jews during the flight from Egypt. Saul's failure to carry out this order fully was the reason why God abandoned him and transferred the kingdom to David.
[515] This is actually §10 of Gratian's commentary on *Decretum* 2.1.4.10.
[516] Three instances actually follow: imitation, merit and acquiescence/turning a blind eye.

slaves and subordinates imitate those of their masters, so that they sin more boldly. This is the case with wrongly acquired goods that the children inherit, and slaves[517] sin more boldly in connection with acts of brigandage and unjust wars, which quite often result in their being killed. The subordinates of prelates sin more boldly when they see the prelates sin (even if they do not commit the same sins), which also results in their being justly punished.

The sin of one person is also transferred to another as a form of merit, such as when the sins of his subordinates are transferred to an evil prelate. That is, the sins of the subordinates deserve a sinning prelate in accordance with the passage in Job [34:30], "He makes a hypocrite rule because of the sins | of the nation." Sin, and consequently penalty, 75D
is also transferred through acquiescence or the turning of a blind eye. That is, in a situation where superiors do not reprove sins, the good are very often punished along with the evil, as Augustine says in Bk. 1 of *City of God* [1:9].

Here is an illustration. One of us inquisitors found that a certain town had been almost depopulated through the dying of the inhabitants, and the rumor was widespread that a certain buried woman was swallowing bit by bit the shroud in which she had been buried and that the plague could not stop unless she ate the shroud entirely and swallowed it into her stomach. After there was a consultation about it, the chief judge and the burgermaster dug up the tomb and discovered that almost half the shroud had gone down into her stomach through her mouth and throat. Agitated at the sight of this, the mayor drew his sword, and after cutting off her head, he threw it out of the grave. With this, the plague suddenly stopped.[518] On the basis of these events, it is clear that by divine permission the punishment for the old woman's sins was carried out on the innocent because the authorities had turned a blind eye. | For after an inquisition was held, it was found 76A
that during the course of her long life she had been a fortune-teller and magician.

The punishment of David by plague in connection with the counting of the nation is an illustration of this [2 Samuel 24:15].[519]

[517] Such is the ancient meaning of *servus*, though the author may have understood it in the medieval sense of "serf."

[518] Given that the rumor at the start of the story seems to be reported with approval, the cessation of the plague upon the beheading of the corpse is hard to understand since the corpse did not eat the entire shroud.

[519] In 2 Sam. 24:1–25, David took a census, which so enraged God that he sent a plague to afflict the Israelites.

Third,[520] it happens by divine permission to commend the unity of human society because of which one man ought to be concerned for the sake of another that he should not sin and as a public indication of the repugnance felt for the sin. Here the penalty of one redounds against them all as if they were all one body. The sin of Achor (Joshua 7) is an illustration of this.[521]

We can add two further ways[522] in which evil people are punished sometimes through good people and sometimes through other evil people. As Gratian says (§ 8 of commentary on [Cause] 23, Q. 5, [Ch. 49]), God sometimes punishes evil people through those who exercise lawful authority at His behest. This happens in two ways. Sometimes it happens for the merit of the punishers. For instance, He punished the sins of the Canaanites through His people [Deut. 7:1–5]. Sometimes it happens without their merit and even results in their punishment. For instance, He punished the tribe of Benjamin, reducing it to a few survivors [Judges
76B 20].[523] Sometimes, he also inflicts punishment through people | who are stirred up by His order or permission but whose intention is not to obey God but to satisfy their own greed, which accordingly results in their own damnation. For instance, He is now punishing His people through the Turks,[524] and quite often in the past He did so through foreigners in the Old Testament.

Note that whatever the reason for which someone is being punished, if he does not tolerate the penalties with endurance, then the scourging is for the purpose not of making amends but of vengeance, that is, punishment, according to the passage in Deuteronomy 32[:22]: "A fire," that is, of temporal penalty, "was lit in My rage," that is, in punishment, since there is no rage in God otherwise, "and it will burn as far as the depths of Hell." That is, vengeance will begin here and burn until the final damnation, as Augustine [actually, Gregory, *Moralia* 18.22] explains (this is contained in [*Decretum*] "Penitence," Dist. 4, [Ch. 43] § "*Authoritas*"). If,

[520] I.e., third explanation of the justice of God in allowing the innocent to be punished, as laid out in 75B.

[521] Achor stole some items that had been plundered from Jericho and dedicated to God. In retaliation, God brought about a military defeat of the Israelites.

[522] The previous material comes from Aquinas, and instead of adapting the borrowed passage thoroughly these additional reasons are simply tagged on. This additional material, which discusses whether the people who inflict punishment on evil people are themselves good or evil, is irrelevant to the issue, which is why the *innocent* are punished.

[523] After some members of the tribe of Benjamin raped and killed the concubine of a traveling Levite, the other tribes attacked and virtually wiped the tribe out.

[524] The Turks had only recently (1453) captured Constantinople, and their incursions northwards from the Balkans were a source of great anxiety in Germany at this time.

however, this scourging is borne with endurance and the person endures it in a state of Grace, it serves to make amends, as Thomas says in the *Commentary on Pronouncements*, Bk. 4 [2.15.1.4B.Co.], even if someone, even a sorceress, is being punished by a judge for having committed sorcery (to a greater or less degree according to the devoutness | of the 76C person being subjected to this and the nature of the crime). A natural death, while it is the ultimate of terrors, does not, however, make amends, because it has been implanted by nature as a penalty for Original Sin, though according to Scotus [*Pronouncements* 4.21.Ra4] a death that is awaited voluntarily with devoutness and is offered to God can in its bitterness make some sort of amends. A violent death, on the other hand, whether someone deserved it or not, always makes amends if it is endured with tolerance and in Grace. So much for the penalties imposed because of the sins of others.

God also scourges in the present life because of people's own sins, specifically in connection with the infliction of acts of sorcery. In Tobias 7 [actually, 6:17] the Devil receives power over those who are slaves to lust. This was made clear in the foregoing discussion, when an explanation was given about the acts of sorcery affecting the members and faculties, which God permits to be more affected by sorcery. Yet in terms of preaching to the congregation, it should be noted that notwithstanding the foregoing punishments in which God gives punishment for | someone else's or 76D one's own instances of guilt, the preacher should keep as his foundation and propound to the congregation the rule of law that says that no one should be punished without guilt, unless there is some underlying reason. (*Extra* [*Decretum*] "Rules of Law," [*Liber Sextus*, Bk. 5, Title 12] Rule 23). This rule is applicable in the court of Heaven, that is, of God, and in the court of the forum, that is, in the human forum, whether secular or ecclesiastical.

Explain about the court of Heaven as follows. God punishes with a double penalty, spiritual and temporal, and while in the former it is found that He never does so in the absence of guilt, in the latter it is found that it is sometimes good for Him to do so in the absence of such guilt but not without a reason. The first spiritual penalty (there are three) is the removal of Grace, and from this follows obstinacy in the things that have been done. This penalty is not carried out in the absence of personal guilt. The second penalty is loss (that is, the deprivation of glory), and it too is never imposed in the absence of personal guilt, as in the case of grown-ups, or of contracted fault, as in the case of little ones passing away in Original Sin. The third penalty, which is that of perception

(that is, torment by fire in Hell), is obvious, and hence the statement in Exodus 20[:5] ("I am a jealous lord, visiting the sins of the fathers on
77A the sons down to the third and fourth generation") is understood | to concern the imitators of ancestral misdeeds, as is explained by Gratian in § "*Quibus*"[525] of the commentary on 1, Q. 4, where he also gives other explanations.

Regarding the second (temporal) penalty, God imposes punishment for three reasons. He does so first because of someone else's guilt, as was discussed above,[526] or second in the absence of someone else's or personal guilt but not without a reason, or third as a result of personal guilt and not someone else's. If you want to know the reasons why God punishes even in the absence of someone else's or personal guilt, you should see the five ways that the Master[527] sets out in *Pronouncements*, Bk. 4, Dist. 15, Ch. 2. (Take the first three reasons and interpret the remaining two as instances of personal guilt.) He says the following. It is for five reasons that God scourges (imposes penalties on) a man in the present life. First, for the glory of God. This happens when a penalty (scourging) is miraculously removed (illustration: the man born blind[528] (John 9[:1–6]) and the resurrection of Lazarus[529] (John 11[:38–44])). Second, if the first cause is lacking, it is nonetheless imposed in order that merit should be accumulated through the practice of endurance, and also in order that a virtue concealed within should be made obvious to others (illustrations: Job 1[530] and Tobias 2[:11]).[531] Third, for the preservation of virtue through
77B the humiliation caused by the scourging. This is illustrated | by Paul, who says of himself, "In order that the greatness of the revelations should not exalt me, the prodding of my flesh, the angel of Satan, has been given to me . . . " (2 Cor. 12[:7]). (This prodding was, according to Remigius, a sort of bodily weakness.) These are the reasons in the absence of guilt. Fourth, in order for eternal damnation to begin here, that is, in order that what he will suffer in Hell should be in some way shown. Illustrate this

[525] This sentence actually begins in the middle of § 11 and continues into § 12 ("From all this it is gathered that ignorance of the sin does not excuse someone, but it is not proven by these examples that only the imitators of others' wickedness are liable because of their sin.")
[526] 75B–76A.
[527] I.e., Peter Lombard.
[528] Upon seeing on the Sabbath a man who had been born blind, Jesus' disciples ask him whether the blindness had been caused by the man's or his parents' sins. Jesus replies that neither is the case. Instead, it happened in order to allow the "work of God" to be manifested in him, whereupon he cures the man's blindness.
[529] Jesus raised Lazarus from the dead in order to show the glory of God to believers.
[530] Job is inflicted by God with many calamities at Satan's urging to see if he will curse God.
[531] Tobias is blinded to serve as an example of patience.

with Herod[532] (Acts 12[:23]) and Antiochus[533] (2 Macc. 9[:5]). Fifth, to purify a man. It can be done by throwing out the guilt, that is, when it is worn down as a result of the scourging. This is illustrated by the infecting of Aaron's sister Mary with leprosy[534] (Numbers 13 [actually, 12:10]) and by the Israelites being laid low in the desert, according to Jerome[535] (23, Q. 5, "*Quid ergo*"). It can also happen to satisfy a penalty. This is illustrated by David, who, after the adultery that he had committed was forgiven in terms of the guilt, was expelled from his kingdom as a penalty, as is explained in 2 Samuel [:12, 15], as Gregory notes ("Penance," Dist. 1, "*Si peccatum*").[536] It could also be said that every penalty that we suffer derives from our guilt, at any rate from the original one with which we are born, because that sin is the cause of all causations (Dist. 5, "*Ad Eius*").[537]

As for the|third penalty, which is that of loss. Speaking of it in terms of 77C
the eternal loss that they will endure in the future through damnation,[538] let no one doubt that the damned will be tortured in penalties relating to perception. For just as Grace is followed by vision in the Heavenly Homeland, guilt is followed by penalty in Hell, and just as the level of blessedness in the Heavenly Homeland is meted out according to the levels of Charity and Grace on the journey there, the measure of punishments in Hell is equal to the measure of crimes on the journey there.[539] This is what is said in Deuteronomy 25[:2]: "The number of blows will be equivalent to the measure of sin." If this is the case with all other sins, it is particularly

[532] God killed Herod for not ascribing to God words of praise that were shouted at him by a crowd.

[533] God afflicted Antiochus with internal pain for arrogantly threatening to attack Jerusalem.

[534] She was stricken with leprosy by God because of her and Aaron's opposition to Moses.

[535] Jerome asserts that if God seems harsh in having destroyed the human race with the Flood, rained fire and brimstone on Sodom and Gomorrah, covered Egypt with floods, and laid low the corpses of the Israelites in the desert, he inflicted these penalties in the present life to avoid eternal punishment in the next.

[536] Actually, Gregory merely remarks without detail upon the extent of David's sufferings after his having ignored the prophet's warnings. As it is, David's punishment for adultery is the death of the ensuing son by Bathsheba (see n. 513). In 2 Sam. 15, David flees Jerusalem because of his son Absalom's conspiracy, but this is not connected in the Bible with David's adultery.

[537] The exact relevance of this citation is not clear. This Canon notes in passing that while menstruating women are to be praised for refraining from taking communion, they are not prohibited from doing so. "For it is characteristic of good minds to confess their own guilt even when there is no guilt. For what comes from guilt is often performed without guilt. Hence, we eat without guilt when we are hungry, though our being hungry was brought about as a result of the guilt of the First Ancestor."

[538] Another etymological play in the Latin, *damnum* meaning "loss" and *damnatio* (from which the Christian term "damnation" is derived) meaning "infliction of loss."

[539] The phrase "journey there" refers to the conception of the present life as merely as journey to the eternal life (in heaven or hell) assigned by God on the basis of a person's actions in this life.

fitting for sorceresses, as is mentioned in Hebrews 10[:29]: "How much worse do you think are the punishments deserved by the person who has trampled upon the son of God and considered polluted the blood of testimony in which He was made holy?" Such are the personal sins of sorceresses, who renounce the Faith, and as will be explained in Part Two,[540] practice very many acts of sorcery by means of the Most Sacred Sacrament.

[Note on Sources
Major identified sources for Q. 15:
Aq., *Summa* 2/2.108.4]

77D

## question sixteen: | the foregoing truth is specifically explained by comparing the works of sorceresses to other varieties of superstition

NEXT, the foregoing truth[541] is proven in terms of the heinousness of the crimes in the case of sorceresses through comparison with other works of magicians and diviners. There are fourteen varieties of superstitious works based on a division of divination into three kinds. The first variety takes place through the open invocation of demons, the second merely through the silent observation of the arrangement or motion of objects like constellations, days, winds and the like, and the third through the observation of some human action for the purpose of inquiring about something hidden. All these kinds have the designation "fortunes." The varieties of the first kind of divination, the one that takes place through the explicit invocation of demons, are conjuring, divination by dreams, divination by the dead, Pythian divination, divination by earth, divination by water, divination by air, divination by fire and the religious practice of soothsayers (Thomas in *Second of Second*,
78A Q. 95 [95.3.Co.] | and 26, Q. 3, "*Igitur*" and Q. 5, "*Nec mirum*"). Next, the varieties of the second kind are horoscope casters, haruspices, augurs, omen watchers, diviners by hand and diviners by shoulder bone. The varieties of the third kind differ according to all those things that have the designation "fortunes" for the purpose of inquiring about something

[540] 95D–100D.

[541] I.e., that the sins of sorceresses surpass all others. This section presents the second demonstration of this proposition, that is, through a comparison with other varieties of crime that result from a pact with demons, as laid out in 71D (see n. 488).

hidden, namely divination by the observation of dots, straws and congealed shapes in lead. This is discussed in Thomas (cited above) and 26, Qs. 3 and 4.

All these offenses are surpassed by the crimes of sorceresses, and since this is a conclusion about the more prominent varieties, there is no difficulty about the lesser ones. In the first variety, the one in which some people deceive the human perceptions with certain appearances created through conjuring, so that a physical object is perceived differently by the sense of vision or touch, as was discussed in the foregoing[542] in connection with the method of dazzling the eyes, sorceresses are not content with these deeds. No, they many times take away the power to procreate, sometimes by taking away the members of the procreative ability through an appearance caused by conjuring (though not in reality), | so that a woman cannot conceive or a man 78B perform the act, sometimes without an illusion from conjuring, the member remaining in place. After conception, they also cause miscarriages, and often do so with countless other crimes. They also appear in the shapes of various animals (this was explained in the questions above).[543]

Next, in the second variety, the one that is called nigromancy and takes place through the appearance or speaking of the dead (since, as is said in *Etymologies*, Bk. 3 [actually, 8.9.11], the Greek "nigros" means "death" in Latin and "mancy" means "divination"), they commit such acts through the blood of a person or some animal over[544] certain characters, knowing that the demons love blood (that is, the shedding of it) and sins. Hence it happens that when they think they are summoning the dead from Hell to answer the questions put to them, the demons appear in the likenesses of these people and perform such acts. Someone who possessed this sort of art was the famous magician and pythoness[545] mentioned in 1 Samuel 28[:7], who raised Samuel from the dead at the insistence of Saul. Let no one think that such things are | lawful on the grounds 78C that Scripture records that when the soul of the righteous prophet was summoned from the dead, it revealed to Saul the outcome of a future war,

[542] 57C–58B.

[543] The issue of sorceresses appearing in the guise of animals has not been addressed; presumably, the reference is to Q. 10 (59B–63C), which discusses how sorceresses make other people look like animals.

[544] The sense of "over" is not self-evident but presumably refers to spilling the blood over the characters.

[545] For this as a term for a "seer" who can communicate with the dead, see 8C, 10C, 78B–C and 79D.

through a female pythoness at that. As Augustine says (*To Simplicianus* [2.3]), it is not absurd to believe that by some dispensation it had been permitted that, without the force of the magical art or power but through a hidden dispensation unknown to the pythoness and Saul, the spirit of the righteous man showed itself to the vision of the king in order to strike him with the sentence of God, or perhaps the spirit of Samuel was not truly raised from its repose, and instead some fantastical picture and delusion of the imagination at the hands of demons was made through the contrivances of the Devil, and this is what the Scripture calls Samuel, just as images are customarily named after the things they portray.

These statements are from a response to a certain argument regarding the question of whether the divination that takes place through the invocation of demons is unlawful (*Second of Second*, Q. 95, Art. 4, "As for the second"). If the reader wishes to, let him look at the response to the final argument of the question of whether there are levels of proph-
78D esy among | the blessed (same book of the *Summa*, Q. 174 [174.5]). Let him also examine Augustine's statement in 26, Q. 5 "*Nec Mirum*." These quotations have little relevance to the works of sorceresses, however, since they retain no variety of piety in them. This is clear to anyone who looks at their works, since they do not cease to shed innocent blood and to make every secret thing manifest at the Devil's instructions, sparing neither living nor dead as they destroy souls along with bodies.

Finally, the third variety, the one that is called the divination of dreams, is practiced in two ways. In the first, someone uses dreams to be able to track down something secret on the basis of a revelation made by evil spirits with whom explicit agreements are kept (that is, the spirits are invoked for this purpose). In the second, someone uses dreams to learn of the future inasmuch as dreams derive from divine revelation or from a natural cause, whether internal or external. As far as such a power can extend, it will not constitute unlawful divination. So Thomas (citation above [*Second of Second* 95.6.Co.]).

For the interpretation of this, so that preachers will have at least the gist of it, it should be noted that as for the first argument (the one about
79A angels), since an angel | is characterized by a restricted virtue, he can reveal some future events more effectively to a soul that is disposed than to one that is indisposed. Disposition takes place after the outer and inner motions are calmed, for instance when the night is silent and the motions of the vapors are calmed. This happens around dawn, when

digestion is finished. I say this about us, who are similar to sinners.[546] For out of divine piety, angels make revelations to us for the execution of our office[547] or they instruct our intellect about the secrets of the Scriptures during study time at dawn. (For a good angel presides over the intellect, just as God presides over the will and the heavenly bodies over our bodies.) He can, however, make revelations to more perfect men at any hour, whether they are awake or asleep, though according to the Philosopher in *Sleep and Wakefulness* a certain time, as has been said,[548] is more suitable than another for receiving revelations, as is the customary practice with other magicians.

As for the second,[549] note that as a result of nature's natural care for the governance of the body it happens that certain future events have a natural effect on a sleeping person. | In this case, these dreams (visions) 79B
are merely tokens and not causes, as was said in terms of the angel. These are tokens of incidental events that will happen in connection with the person, like health or illness or danger and so on. The pronouncement of Aristotle (cited above) is that in the dreams nature exhibits to the soul certain dispositions that are in the body, and an illness or something else happens as a result of these dispositions. For instance, if someone dreams of activities involving fire, it is a token of choler in him, if he dreams of ones involving the air like flying and the like, it is a token of blood, if he dreams of ones involving water or some watery liquid, it is a token of phlegm, if he dreams of ones involving earth, it is a token of melancholy.[550] For this reason, doctors sometimes receive assistance from dreams in recognizing the dispositions of the body, as the Philosopher also says in the same book.

Again, such dreams are trivial compared to the ones superstitiously practiced by sorceresses. For if they do not wish to be transferred bodily in the way discussed above[551] and instead wish to perceive only in the imagination the crimes that are being committed by their fellow-
sorceresses, they can recline | on their left side in the name of their devil 79C
and of all the demons. From this it happens that pictures of the individual events are exhibited to a sorceress in the vision of the imagination. Similarly, if they wish to know certain secrets on behalf of themselves

[546] This designation reflects mock humility.
[547] I.e., the inquisition.
[548] 57B.
[549] I.e., use of dreams (for predicting the future), as laid out in 78D.
[550] These four examples relate to the four "temperaments" of which the body consisted according to medieval medical theory (based on Aristotle).
[551] Seemingly not. The topic is treated in Pt. II, Q. 2, Ch. 3 (101A–105C).

or of other people, they are informed by the demons through dreams. This is done through agreements entered into with them that are not implied but explicit, and, again, not through just any agreement entered into in just any way through the sacrifice of some animal or a sacrilegious petition or offering the presentation of adoration, but by offering themselves to the demons in soul and body as they completely renounce the Faith with a sacrilegious mouth. Not content with these deeds, to the demons they also offer or kill their own or other people's children, topics discussed above.[552]

Next, the fourth variety is the one that is carried out by Pythons (named, according to Isidore [*Etymologies* 8.9.9], after Apollo the Python, who is said to have been the inventor of divination),[553] not through dreams or the speaking of the dead, but through the living, as in the case of the "seized," who, being seized in this way by demons either willingly
79D or unwillingly, are impelled only to foretell | the future and not for other crimes. Such was the famous girl mentioned in Acts 16[:16–18] who shouted after the Apostles that they were true slaves of God. Outraged at this, Paul ordered the spirit to depart from her. It is clear that there is slight comparison with the sorceresses and their works, who are clearly called this ["evil-doers" in Latin] because of the large number of their misdeeds and the heinousness of their crimes according to Isidore, as was stated above.[554] Hence, for the sake of brevity, it would not be useful to prove these assertions in connection with the other, lesser varieties of divination when the greater ones are known to surpass them. When the preacher decides to adduce the other varieties (like divination by earth, which is carried out with an object made of earth like a fingernail, iron or a polished stone,[555] divination by water, which is carried out with water or crystal, divination by air, which is carried out with air, that of the soothsayers, which is carried out with the entrails of animals sacrificed on the altars of demons), though all these forms of divination take place through the explicit invocation of demons, nonetheless there is no
80A comparison | with acts of sorcery on the part of the sorceresses, since the immediate purpose of the former is not to harm men, domestic animals and the fruits of the earth but to know the future in advance. Regarding

[552] Q. 11 (63D–64B).

[553] The etymology of "Pythian" Apollo is here confused with the translation "python" used for the female seer who allowed Saul to communicate with the dead in 1 Sam. 28 (see n. 545).

[554] 15C.

[555] It was a common magical practice to have the victim of a crime look into a shiny object in order to "see" the perpetrator. (Presumably, the procedure helped the victim visualize the person whom he suspected, whether consciously or subconsciously, of the crime.)

the other varieties of divination, which are practiced through an implicit invocation and also through an implicit, so to speak, agreement with the demons – like horoscope casters or astrologers (so called because of their observations of birthdays),[556] haruspices, who observe days and hours, augurs, who observe the movements or songs of birds, omen watchers, who observe the words of humans, and hand-diviners, who make predictions on the basis of lines in the hands or the shoulder bones of animals – if anyone wishes to, let him consult Nider's *Praeceptorium* in Precept Two [2.4], and he will find how many things are lawful and many not. But the works of sorceresses are never lawful.

[Note on Sources
Major identified sources for Q. 16:
Aq., *Sent.* 2.7.2.2
*Summa* 2/2.95.3, 4, 6]

## the seventeenth question is in explanation of the fourteenth, comparing the seriousness of the crime to any sins on the part of demons

SO great is | the enormity of their crimes that they surpass even 80B
the sins and downfall of the evil angels.[557] If they are surpassing in their instances of guilt, how are they not also in their punishments in Hell? Certainly it is not difficult to demonstrate this in various ways in terms of instances of guilt.

First, although the Devil's sin is unforgivable, the reason for this is not the enormity of the crime, if the demons' natural gifts are taken into account. This is particularly so according to the view of those who say that the demons were created in the possession of only natural gifts and not of those of Grace. Because the good of Grace surpasses that of nature, the sins of those who fall from a state of Grace, as is the case with the sorceresses when they renounce the Faith they accepted at baptism, clearly surpass the demons' sins. If, on the other hand, we say that the demons were created in Grace, though not confirmed, then, the

[556] This is a misleading adaptation of Aquinas (*Summa* 2/2.95.3.Co.), who notes that the term *geneathlici*, a synonym for "astrologer," is derived from the (Greek) word for "birthday."

[557] This question describes the third way in which the sorceresses are guilty of surpassing criminality, comparing their sins to those of the demons, as laid out in 71D. There this issue is connected with a comparison with the sins of the first ancestors, and while the present question does treat this matter (81A–C), it is not mentioned in the heading; see n. 488.

sorceresses, though not created in Grace, also fell from Grace of their own accord, just as the Devil too sinned willingly.

The second demonstration. The Devil's sin is unforgivable for various other reasons. For instance, according to Augustine [*City of God* 21.23],
80C since he did not sin at anyone's suggestion,|he also ought to return without anyone restoring him. According to John of Damascus [*Exposition of the Orthodox Faith* 2.3], he sinned in the intellect in violation of God's form, and the more noble the power of recognition, the worse the sin. For in knowing the will of his master, a slave, and so on.[558] Or, again according to John of Damascus [as above], because he is incapable of accepting penitence, he is also incapable of accepting forgiveness. This is the result of his nature, which, being merely spiritual, is changeable just once because it converts itself entirely, which is not the case with man, in whom the flesh constantly fights back against the spirit. Or the Devil sinned in a lofty place like Heaven, while man did so on earth. Nonetheless, despite these arguments, in comparison to the crimes of sorceresses the Devil's guilt is lessened in many other regards. First, he sinned, according to Anselm in some prayer [*Orations* 62], in arrogance without the punishment for any crime preceding, but as for the sorceresses, after the frequent imposition of very great penalties on many other sorceresses, indeed even after learning in church of the penalties imposed on the Devil on account of his downfall, they look upon all this with
80D contempt, and unlike the other sinners, who|sin as a result of weakness or evil without habitual[559] evil, it is not minor mortal sins that the sorceresses hanker after, but, as a result of the deep evil of their hearts, horrible crimes. Second, the Devil's guilt is lessened because while there are three states in the evil angel (innocence, guilt, and wretchedness or penalty), he fell from innocence in this way just the one time and has never been restored to it, but the sinner, who has been restored to innocence through baptism, is sunk much deeper when he falls from it a second time. This is true of the sorceresses above all others, as their crimes show. Third, while the Devil rebelled against his Creator, we – and the sorceresses above all others – do so against our Creator and Redeemer, and so on. Fourth, the Devil abandoned God, Who permitted him to sin and did not pursue him out of piety, while we – and these sorceresses above all others – are made removed by our sins from God, Who permits us to sin and constantly pursues us out of piety and anticipates our needs with

[558] This is an abbreviated allusion (see n. 194) to the argument that when a slave (man) knows the will of his owner (God), he is to be punished for ignoring it.

[559] See n. 370 for the meaning of "habit" contained in the adjective "habitual."

very many favors. Fifth, the Devil persists in his evil, which God censures but does not apply His Grace to it, while in our wretchedness we rush | into this evil, though God constantly calls us back. Sixth, the Devil 81A remains hard-hearted towards a punisher, while we remain hard-hearted towards an enticer. Even though both rebel against God, nonetheless the Devil does so against One Who makes demands of him, while we do so against One Who died on our behalf, and, as we stated before, the sorceresses above all others offend Him by dishonoring Him.

### *The solutions to the arguments also explain the truth through comparison*

AS FOR THE ARGUMENTS.[560]

[RA 1] As for the first, the response is made clear through the discussion at the beginning of the body[561] of the question (on what basis one sin ought to be considered more serious than another and how the sins of the sorceresses are more severe than all others in terms of guilt).

[RA 2] As for the second (the one concerning the penalty), one should say that like his guilt, the penalty of Adam is considered in two ways, either in terms of the person or in terms of the entire nature, namely the posterity that arose from him.

The first way. Greater sins were committed after him, in that he sinned merely by doing what was evil not in itself but | only because it 81B was prohibited, while acts of fornication, adultery and murder are evil both ways, that is, in themselves and as prohibited acts. Therefore, they deserve an even more severe penalty.

The second way. Although the greatest penalty followed the first sin, this is so only in an indirect way, inasmuch as through him all posterity was tainted with original sin. For though he is the First Ancestor of all those for whom the Son of God alone was able to make amends through ordained power, he repented his own sin with divine Grace acting as the intermediary and was saved after the redemption brought about by Christ. The sins of the sorceresses, on the other hand, are incomparably surpassing in severity, since they are not content with their own personal sins and damnation, and constantly drag countless other women after them.

[560] These are the rebuttals of the arguments made at the start of Q. 14 (71A–B). This section also provides the third comparison of the sins of sorceresses (to those of the first ancestors), as laid out in 71D, the "truth" referred to in the heading of this section being that the former surpass the latter (see n. 488).

[561] I.e., the "argument" section (71B).

[RA 3] As for the third, one should say on the basis of the foregoing that it was an incidental result that the sin of Adam inflicted greater harm, in that he found nature intact and it was by necessity and not by will that he had to pass it on in a corrupted state. It does not follow
81C from this that his sin was straightforwardly more severe | than the others. Another reason is that the same people would have committed these subsequent sins even if they had found their nature intact, just as in terms of mortal sin Adam does not cause the deprivation of Grace because he did not find Grace, but he would cause such deprivation if he had found it. This is the solution of St. Thomas in the *Commentary on Pronouncements*, Bk. 2, Dist. 21, Art. 2 in the solution to the second argument. If someone wishes to understand this solution fully, he must consider that if Adam had exhibited original righteousness, he would not have transferred it to his descendants, as was Anselm's view [*Orations* 62], because someone would still have been able to sin after him. Let the words of the Doctor be examined as to whether children born later would have been confirmed in Grace. This is in Dist. 20 [*Sent.* 2.20.2.3] and in *Quodlibet* 101 ("Whether the same people who are saved now would have been saved if Adam had not sinned").

[Note on Sources
Major identified source for Q. 17 plus the rebuttals to the arguments of Q. 14:
Aq., *Sent.* 2.21.2.2]

## there follows the method of preaching against the five arguments of laymen, by which various among them imagine that they prove that god does not permit such power to the devil and sorceresses in connection with inflicting such acts of sorcery[562]

81D NEXT, let the preacher make provision against certain arguments of laymen or of certain learned men,[563] who deny the existence of sorceresses to the extent that, while they grant the demon's evil and

[562] The table of contents (3A) describes this section as Q. 18, but there is no overt indication here of the start of a new question.

[563] Pretty much by definition churchmen, since all forms of education were in some way connected to the Church.

his power to inflict evils of this kind as he pleases, they nonetheless deny that divine permission stoops to his level. They are unwilling to have God permit such things to happen, and although they have no way of arguing and grope in the dark like blind men, touching now one means, now another, it is nonetheless necessary to reduce their claims to the five arguments from which all their quibbles can certainly be derived. The first is that God does not permit the Devil to act savagely against men by the authority of such power.

[TT] Whether divine permission must in fact co-operate in order for a demon to bring about an effect of sorcery through sorceresses. It is argued with five arguments that God does not | give His permission, 82A
and hence there is also no such thing as sorcery in the world. The first argument concerns God, the second, the Devil, the third, the sorceress, the fourth, disease, and the fifth, the preachers and judges who, in preaching such sermons and passing such judgments against them, would certainly never be safe.

[AG 1] The first is as follows. God can punish a man for his sin and He punishes by the sword, hunger and mortality, and also by the countless other sorts of illnesses to which the human condition is subject. Hence, because God has no need to add other punishments, He does not give His permission.

[AG 2] The second argument (concerning the Devil) is as follows. It is preached that sorceresses are able to impede the power of procreation, so that a woman does not conceive, or if she does, she has a miscarriage, or if she does not have a miscarriage, they kill the children after the birth. If these things were true, the sorceresses would certainly be able to destroy the entire world. Again, it could be said that the works of the Devil would be stronger than the works of God, that is, than the Sacrament of Marriage, which is a work of God.

[AG 3] The third argument (concerning man). | We see that if there is 82B
supposed to be such a thing as sorcery in the world, then some people are affected by sorcery more than others. If this is questioned, clearly it is said that this is for the sake of punishing sinners, but this is false and therefore so too is the claim that acts of sorcery exist in the world. The falseness is proven on the grounds that in that case greater sinners would be punished more, but this is false since they are punished less than others, and sometimes the righteous are punished, as can be seen in the case of innocent children of whom it is claimed that they are affected by sorcery.

[AG 4] Fourth,[564] another argument can be added concerning God. What someone can impede and does not impede but permits to happen is certainly considered to have resulted from his will, but since God is supremely good, He cannot wish for an evil thing, and therefore He cannot permit an evil thing that He is able to impede from happening.

[AG 5] Also, concerning the disease. The defects and illnesses that are said to be caused by sorcery are in fact similar to natural defects and illnesses, that is, to those that result from nature. Someone's going lame
82C or being blinded or losing his reason or | dying can happen as a result of a defect of nature, and hence these occurrences cannot be safely ascribed to sorceresses.

[AG 6] Lastly, concerning the judges and preachers who, since they carry out such preachings and proceedings against the sorceresses, would certainly never be safe against the vast hatred that the sorceresses conceive against them.

[SC 1] But to the contrary. Let arguments be taken from the first[565] question in the third basic topic of Part One of the treatise, and let those be propounded that are more suitable for preaching to the congregation. These are how God permits an evil thing to be done, though He does not wish an evil thing to be done, and how He does so for the sake of the admirable perfecting of the universe, this perfecting being considered in the fact that good things are commended more prominently and are more pleasing and praiseworthy when compared to evil ones (the authorities are contained in that passage).

[SC 2] Also, the depths of God's divine wisdom, justice and goodness, which would otherwise be concealed, shine forth.

[CO] To settle the question briefly, various proofs for the instruction of the congregation can be gathered from the matters that are discussed in that passage. One is that since it was just for God to permit the two
82D falls of the angels | and the First Ancestors, which are greater than all the others, it is no wonder that other, smaller ones are permitted. Another proof is how those falls are greater in terms of causality but not in terms of the other circumstances, in which the sins of sorceresses surpass the

[564] The counting here does not correspond to the framework laid out in 82A, where no account is taken of the present argument and the next (here unnumbered) argument is instead counted as fourth. Since the text overtly indicates that this argument is a further one concerning the role of God (the topic of the first argument), it is hard to see why it has been placed here. The "solutions" (82D–85C) follow the numeration given here rather than that of the introduction (82A).

[565] I.e., Q. 12 (64C–68C), which is the first question of the section on divine permission (see 20B); similarly, Q. 13 (68C–71A) is called the "second" question in 68C and 82D.

sins of both the evil angels and of the First Ancestors, as was discussed in the third[566] question. Why it was just for God to permit those falls is discussed in the second[567] question. From these proofs the preacher can gather very many items and elaborate upon them as he desires.

Now for responses to the arguments.

[RA 1] As for the first. When it is said that God makes sufficient punishment through natural illnesses and forms of mortality (the sword and hunger), the response is given on three grounds.

First, because God did not restrict His virtue to any natural process or to the influences of the heavenly bodies, which would result in His being unable to do anything beyond those things, it is in fact very often the case that He has acted beyond them in the punishment of sins, inflicting forms of mortality and other things beyond any influence of the heavenly bodies. For instance, He punished the sin of arrogance | in 83A
David with the deaths inflicted on the people because of the counting of the people and so on.[568]

Second, this is certainly concordant with divine wisdom, which adminsters all things in such a way that it allows them to act by their own impulses. Therefore, just as it is not appropriate to impede the demon's evil at all and instead it is more fitting to permit it to the extent that this pertains to the good of the universe (though he is immediately reined in by the good angels so that he cannot cause as much harm as he would wish), it is likewise inappropriate to rein in human evil in connection with those things over which it has power as a result of free will, such as renouncing the Faith and dedicating oneself to a demon, acts whose commission is clearly in the power of the human will. Since God is especially offended by these two acts, it is just for Him to permit the desires of a sorceress, because of which she has renounced the Faith, and to which the power of the Devil extends, for instance the ability to harm humans, domestic animals and the fruits of the earth.

Third, it is just for God to permit those evil things to happen by which the Devil | is especially tormented in an indirect manner and 83B
receives the highest displeasure. The devil is especially tormented in an indirect manner through those evil things that are done by sorceresses by the virtue of demons when, contrary to the Devil's will, God uses all these evil things to glorify His own name, to commend the Faith, and to cleanse the Elect and pile up their merits. For it is certain that among all

[566] I.e., Q. 14 (71A–75B and 81A–C) (see preceding note).
[567] I.e., Q. 13 (see n. 565).
[568] See 76A.

the displeasures that the Devil receives as a result of the arrogance that he always raises up against God, in accordance with the passage, "The arrogance of those who hate you always mounts up" [Psalm 73:23], the main one by which he is displeased is God's turning all of his contrivances to His own glory and so on. It is therefore just for God to permit all things.

[RA 2] As for the second, the response was given above, but it is necessary to give responses to two statements that are included in the argument. For it is not said that the Devil, or his doing, is stronger than God. To the contrary, it can be seen that he possesses very little virtue, since he has no power except by divine permission, and hence his capability can be called very little in comparison with divine permission,
83C | though it is very great in comparison with the bodily virtues that it exceeds naturally, in accordance with the passage often cited, "There is no power of the earth that can be compared to him" (Job 41[:24]).

Another response to be given concerns why God permits acts of sorcery to be committed on the force to procreate rather than other human acts, which were discussed above[569] in the material on God's permission under the heading "How sorceresses can impede the force to procreate and the sexual act." The reason is the foulness of that act and the fact that Original Sin, which is inflicted as a result of the guilt of the First Ancestors, is transferred by that act. An illustration of this is given in the snake, which was the first tool of the Devil, and so on.[570]

[RA 3] As for the third, it should be said that just as his intent and desire are greater in terms of tempting the good than the evil (though from the point of view of the one tempted he tempts the evil more than the good, that is, because there is more facility to receive the temptation
83D of the demon in the evil than there is in the good), | he likewise aims at harming the good more than the evil (though he would find more facility to cause harm in the evil than in the good). The reason for this is that according to Gregory [*Moralia* 13.18] the more frequently someone subordinates himself to the Devil, the more unendurable he makes the Devil for himself, so that he cannot resist him, and since the evil more frequently subordinate themselves to the Devil, temptation becomes more unendurable to them and more frequent, because they

[569] Q. 8 (52C–55D). Peculiarly, this question does not fall under the rubric of God's permission, which is treated in Qs. 12–18 (64B–84C), yet an early reference (24C) to the issue of why God allows sexual acts to be affected by sorcery likewise states that this topic is treated under the rubric of "God's permission," which presumably also signifies Q. 8.

[570] 53B.

do not have the shield of Faith to defend themselves with. About this shield the Apostle says: "In all things taking up the shield of the Faith, with which you are able to extinguish all the fiery missiles of the Most Evil One" (Ephesians 6[:16]).

From the other perspective, he assails the good more often and more keenly than the evil. The reason for this is that since he already owns the evil but not the good, he makes a greater effort to bring the righteous, whom he does not own, under his dominion through tribulation than he does with the sinners, whom he does own. Similarly, a prince of the world rears up against a man who derogates more from his rights or who harms his kingdom more than he does against those who do not oppose him.

[RA 4] As for the fourth (that God permits | evil things to happen 84A
but does not wish evil things to happen), apart from the foregoing discussions, the preacher can give an explanation through the five tokens of divine will, which are injunction, prohibition, advice, working and permission (see St. Thomas, especially in the *First Part*, because there he gives a fuller explanation (Quest. 19, Art. 12 [also Art. 11])). Although there is one will in God, which is God Himself, just as there is a single essence in Him, nonetheless in terms of His works His will is indicated and shown to us in many ways, and in accordance with this the psalm writer says, "The great works of the Lord were chosen for all His wills" [110:2]. Hence, in connection with God, will is distinguished in terms not of the object but of his effects, so that the will spoken of properly is called the will of the resolve and the will spoken of symbolically is called the will of the token, to the extent that through tokens and symbols it is indicated to us that God wills a given thing. By similar reasoning, this is like the way that the head of the household, who has one will in him, makes this clear in five ways, either by himself or through another person.

He does so by himself in two ways, | directly or indirectly. The direct 84B
way is when he does some work himself and in this case it is a working, and the indirect way is when he does not impede someone else's working. It is said in *Physics*, Bk. 4 [8.4] that what removes and prohibits causes motion incidentally, and in this respect permission is called a token. The head of the household, on the other hand, makes it clear through another that he wants something in three ways. One is that he orders someone to do something obligatorily and prohibits the contrary, and in this way injunction consists of the things enjoined and prohibition consists of positive and negative injunctions. The other way is that he

orders someone to perform certain acts by means of persuading him or of winning him over (this is an aspect of advice).

Just as human will is made obvious in these three ways, so too is that of God. That God's will is called injunction, prohibition and advice is made clear by the passage, "May Your will be done on earth just as in Heaven" (Matt. 6[:10]), that is, we should fulfill His injunctions on earth, avoid things prohibited, and to the best of our ability fulfill His
84C advice. Similarly, that God's will is called permission and working | is explained by Augustine, who says in *Enchiridion* [95], "Nothing is done unless Almighty God wishes it to be done, either by allowing it to be done or by doing it."[571]

As for the issue at hand, when it is said that what someone could impede and does not is judged to have resulted from his will, this is true, but when the inference is made that since God is supremely good, He cannot wish evil things to happen, it is true that, because He cannot engage in evil workings or give evil injunctions, it is impossible for Him to fail to prohibit evil things and urge good works of supererogation[572] by the will of His resolve and through the four tokens of this will, but He can wish to permit evil things to be done.

[RA 5] As for the other argument, the one about how illnesses can be distinguished from each other, so that one is caused by sorcery, the other by nature, for example as a result of a defect of nature, it is answered that this can be done in various ways. The first is through the judgment of physicians (26, Q. 5, "*Non licet*" and Q. 2, "*Illud*"). In the second chapter are the words of Augustine: "To this kind of superstition belong all
84D amulets and cures that the medical discipline condemns | in connection with tying on and knotting any objects." A similar way is when physicians form, on the basis of circumstances (age, the sudden changing of a temperament that had been healthy in virtually the blinking of an eye, and the fact that the illness did not happen as the result of blood, bile or deformity), the judgment that the illness happened as the result not of a defect of nature but from an external cause. In a case where it happened from an external cause, if it did not happen as a result of tainting with poison, because in this case the blood and stomach would be filled with evil humors, then on the basis of a sufficient distinction they judge that

[571] The argumentation here is typical of scholastic methodology. The quotation cited to prove the assertion actually says nothing of the kind and is itself interpreted to this effect on the basis of the assertion that it supposedly supports, which is a form of the logical fallacy known as *petitio principii* (assuming the conclusion in interpreting the evidence meant to demonstrate that conclusion).

[572] The technical term in theology for good deeds that go beyond what is obligatory.

the effect is one of sorcery. The second way is when the illness is incapable of being cured by them, so that no drugs can make the sick man better, and instead the physicians see that he is getting worse. The third way consists of the occasions when the illness happens so suddenly that the judgment of the sick man agrees about this.[573]

An event came to the notice of one of us.[574] One of the leading men of the city of Speyer had a wife of such a contrary disposition that although he readily strove to please her in all matters, she would recalcitrantly oppose him in virtually all his desires and | always contrived to annoy 85A
him with insulting words. It then happened that when he entered the house one day and his wife was reviling him in her usual way with words of reproach, he wanted both to give way to her anger and to leave the house, but with a sprint she beat him to the doorway through which he had to go out and blocked it. In a loud voice she declared that if he did not strike her, there was no integrity or honor in him. At these strong words, he stretched out his hand without the intention of harming her and touched her lightly on the shoulder blade with his fingers spread out. Suddenly, he was dashed to the ground and lost all perception. For several weeks he lay in bed, stricken with the most severe illness. In this affair it can be considered that the illness happened to him not as the result of a natural defect but through the wife's sorcery. A large, or rather an almost countless, number of similar acts have been committed and have come to the notice of many people.

There are some men who use a certain practice to test the matter, as follows. They hold molten lead over the sick man and | pour it into a 85B
dish of water. If some picture congeals and becomes visible, then they judge that the illness happened as a result of sorcery. When certain men who engage in these practices are asked whether such a picture comes forth through the work of demons or by a natural virtue, their usual answer is that Saturn,[575] which is otherwise evil, has a virtue over the lead like that of the sun over gold, and with this virtue it demonstrates the sorcery.[576] What opinion should be held about them (whether the practice is lawful or not) will be treated in the third basic section[577] of this treatise. For the canonists think it lawful for vain acts to be smashed with vain acts, though the theologians think the complete opposite, since evil acts should not be committed so that good ones will result.

[573] I.e., that it is sorcery.
[574] I.e., one of the two authors.
[575] I.e., the planet.
[576] See the anecdote and explanation in 156D–157A, and the anecdote in 135B–D.
[577] I.e., Pt. II, Q. 2 (152A–184A).

[RA 6] As for the final argument, in which various questions are raised: first, why sorceresses do not grow rich; second, why they do not help the princes who favor them to destroy all the princes' enemies; third, why they are unable to harm the preachers and others who persecute them.[578]

85C As for the first, it should be said that | the reason why for the most part sorceresses are not made rich is so that in accordance with the demon's pleasure and as an insult to the Creator they should be bought for the lowest price possible. A second reason is to make sure that they do not become noticed amidst riches.

As for the second (why they do not harm princes),[579] the reason is obvious. To the extent that they can, what happens is that they retain the princes in their friendship. If it is asked why they do not harm the princes' enemies, it is answered that on the other side a good angel impedes such an act of sorcery in accordance with the passage in Daniel, "The prince of the Persians resisted me for twenty-one days" [10:13] (see the Doctors on *Pronouncements*, Bk. 2, "Whether there is a battle among good angels and in what way" [2.11.2.5]).

As for the third, it is said that they cannot harm inquisitors or any other holders of an office because they are exercising public justice. Various illustrations to this effect could be cited, but the length of time necessary precludes this.[580]

[Note on Sources
Major identified sources for Q. 18:
Aq., *Sent.* 4.34.1.3
*Summa* 1.19.11, 12]

[578] The corresponding argument to which this is the solution actually raises only the third issue.
[579] Oddly, this point was not in fact raised at the start of this solution, and in any case it seems to make no sense (why should the sorceresses harm their supposed protectors?).
[580] See the anecdote in 87C.

# PART II

## PART TWO OF THE WORK BEGINS

THE SECOND BASIC PART of this work is about the procedure 85D
observed by sorcerers in inflicting acts of sorcery and is divided into eighteen chapters.[1] There are two additional topics of difficulty, one at the beginning about preventive remedies (how it can be made impossible for someone to be affected by sorcery),[2] the second[3] at the end about the remedies that break acts of sorcery and that can remedy those affected by sorcery (according to the Philosopher in *Physics*, Bk. 4 [8.4] the agent that removes and the one that prohibits go together and are incidental causes). In order, then, for the entire foundation of this horrible heresy to be grasped through these topics, in two basic divisions[4] the focus will be laid, first, on the sorceresses' initiation and their sacrilegious avowal;[5] second, on their advance | in the method of working and their horrible 86A
procedure;[6] and, third, on wholesome impediments against their acts of sorcery and on preventative remedies.[7] We are now laboring at subject matter involving morality, and for this reason it is not necessary to dwell on various arguments and explanations everywhere,[8] since the topics that will follow in the chapters have been sufficiently discussed in the preceding questions. Therefore, we beseech the reader in the name of God not to ask for an explanation for all matters, when suitable likelihood is sufficient if facts that are generally agreed to be true either on the basis of one's own experience from seeing or hearing or on the basis of the accounts given by trustworthy witnesses are adduced.

[1] Note how the introduction here seems to assume that Q. 1 of this part is the sole content. In particular, the second difficulty noted in the next sentence is said to appear at the "end" of this "basic part of the work," but it in fact appears at the start of Q. 2.

[2] 86B–92D.

[3] 152B–158C.

[4] These two divisions are Qs. 1 and 2 of this part; in the immediately following description of this twofold division, Q. 1 is itself divided into two sections.

[5] Q. 1, Chs. 2–4 (95D–111C).

[6] Q. 1, Chs. 5–18 (111C–152A).

[7] Q. 2 (152A–184A). Here there seems to be further evidence that Q. 2 was not originally meant to be paired with Q. 1 in a single "part." We are told that there will be emphasis on two topics, but three are listed. Whereas the first two topics do give the overall content of Q. 1, the third represents Q. 2. Presumably, the reference to this third topic was added in after the decision was made to fuse the originally independent Qs. 1 and 2, but the correction of the "two" into "three" topics was inadvertently neglected.

[8] For the most part, this part of the work dispenses with the full formalities of the disputed question; the fact that this is excused on the grounds that the matter is one of "morality" presumably means that this material does not need the rigorous proof demanded by scholastic theology (as was the case with the theoretical issues of Pt. 1) and can instead be handled with a more discursive treatment.

In the first division,[9] two points will be discussed primarily. The first[10] is the various methods by which the demon entices the innocent, and second the various methods of avowing this heresy. In the second, six points regarding the method of proceeding and healing will be discussed.[11] First, the practices of sorceresses regarding themselves and their bodies will be
86B treated;[12] second, their works toward other humans;[13] third, their works | towards beasts;[14] fourth, the harm they inflict on the fruits of the earth;[15] fifth, the sorcery of men alone, that is, the acts of sorcery that only men and not women engage in;[16] and, sixth, the question of the breaking of acts of sorcery[17] and the methods by which those affected by sorcery are healed.[18] The first question, then, is divided into eighteen chapters, since in their rites they are distinguished in many categories by that number of methods.

[TT] WHETHER SOMEONE CAN BE so benefited by good angels that he cannot be affected with sorcery by sorceresses in any of the methods described below.[19]

[AG] It seems that he cannot, because it was explained in the foregoing that even the blameless, the innocent and the righteous are very often afflicted by demons. For instance, Job, the very many innocent children who can be seen to be affected by sorcery, and many other righteous people were affected like this. They were not affected in the same way as sinners, however, because this does not result in the loss of their souls through damnation, though they are afflicted in terms of the good things of fortune and body.

86C [SC] To the contrary is the sorceresses' confession | that they cannot harm everyone but only those whom they perceive through information from demons to be bereft of divine help.

[CO] Response. There are three kinds of people who are benefited by God and whom that very bad sort cannot harm with their acts of

[9] I.e., Q. 1.
[10] Ch. 1 (92D–95C).
[11] See 91A–C for another description of the chapters of Q. 1.
[12] Chs. 2–5 (95D–115A).
[13] Chs. 6–13 (115A–141D).
[14] Ch. 14 (142A–144C).
[15] Ch. 15 (144C–147A).
[16] Chs. 16–18 (147A–152A).
[17] The initial "difficulty" of Q. 2 (152A–158D).
[18] The chapters of Q. 2 (158D–184A).
[19] This is the first "difficulty," as laid out in 85D.

sorcery. The first are those who carry out public justice against sorcerers or engage in some public office against them. The second are those who protect themselves with the rites maintained and revered by the Church, like the sprinkling of Holy Water, the eating of Holy Salt, and the lawful use of candles consecrated on the Day of Purification[20] or of fronds consecrated on Palm Sunday, since the Church exorcizes such things for the purpose of lessening the strength of the demons (an explanation of the methods will be given). The third are those who are benefited by holy angels in countless different ways.

About the first group, an explanation is given and is corroborated by various acts and events. Because every power derives from God and carries the sword, according to the Apostle [Romans 13:4], to punish the evil and repay the good, it is no wonder | that in that case demons 86D
are warded off by the power of angels at the moment when justice is carried out to punish that horrible crime. To the same effect, the Doctors note that the power of the demon is impeded in five ways, in whole or in part. The first way is through a limit set on his power by God, as is stated of Job (Job 1[:12] and 2[:6]) and of the man about whom one reads in the *Ant Hill* of Nider [5.3]. This man confessed to a judge that when someone had called upon him to rob his enemy of life or to harm him in body or to kill him with a lightning bolt, "after I had summoned a demon in order to commit such acts with his help, he answered to me that he could do neither. 'He has,' he said, 'good faith and conscientiously protects himself with the Sign of the Cross. Therefore, I cannot harm him in body, but if you want, I can do so in one eleventh of his fruits in the field.'" The second way is when the Devil's power is impeded with an impediment applied externally, as in the case of the she-donkey of Balaam (Numbers 22[:22–27]).[21] The third is when he is impeded by a miracle of impossibility performed externally. There are also those who are benefited with an individual privilege, and about this (the third | kind of human who cannot be 87A
affected by sorcery) an explanation will later be given below.[22] The fourth is through the judgment of God, Who makes an individual arrangement

[20] The Feast of the Purification took place forty days after the Nativity (Feb. 2). Strictly speaking the feast referred to the purification undergone by Mary according to Jewish custom in order to cleanse her of the pollution of childbirth; this day was also the occasion for the Presentation of Jesus at the Temple in Jerusalem (Luke 2:22). In the Middle Ages, candles figured prominently in this holiday, and for this reason it is also known as "Candlemas" in English.

[21] When Balaam rode a she-donkey on a journey, God got angry and had an angel obstruct the donkey, who turned aside to avoid him.

[22] 89A–91A.

through the obstacle of a good angel, as in the case of Asmodaeus' killing of the virgin Sarah's fiancés but not Tobias.[23] The fifth way is through occasional instances of precaution on the demon's own part. Sometimes, the Devil does not wish to cause harm in order that worse may follow. For instance, while he could harass the excommunicated, like the Corinthian excommunicate whom he harassed ([1] Cor. 5[:5]), he does not do so in order to undermine faith in the Church regarding the Power of the Keys.[24] Accordingly, by similar reasoning, we can also say that even if the demons are not warded off by divine power when public justice is being carried out, still they often willingly withhold their hand or protection from the sorceresses, either because they fear their conversion or because they desire and are hastening their damnation.

These statements are corroborated by acts and events. For the Doctor mentioned above also reports that sorcerers gave witness both by word and by experience that on the very day on which they are arrested by
87B the officials of state justice, | all the power of the sorcerers is immediately broken. Hence, when a certain judge named Peter, who was mentioned above,[25] wished to have his servants seize a certain sorcerer named Stadlin,[26] such trembling was instilled in their hands and such an evil stench entered their nostrils that he pretty much gave up hope of their having the boldness to set upon the sorcerer. When the judge gave them the order, "Set upon the wretch without worry because when

[23] This story, which is alluded to several times and obviously gave much support to the notions of Satan's power, deserves to be described at some length. During the Babylonian Captivity, a Jew named Tobias (sometimes Tobit in the English version) adheres piously to the dictates of his religion but is afflicted with blindness and prays to God for a peaceful death. Meanwhile, in another town, Sarah the daughter of Raguel has lost seven bridegrooms at the hands of a demon (Asmodaeus) and vaguely asks God for an end to her misfortunes. God grants both requests, and when Tobias sends his son of the same name to collect a debt in a distant town, the son finds a hearty youth to serve as his companion, and this companion turns out to be Raphael, the angel of God. On the journey, Tobias the younger catches a big fish and the companion tells him to keep its heart, gall bladder and liver because these will repel a demon with their smoke when put on hot coals. Raphael then takes Tobias to spend the night at Raguel's house, advising him to ask for Raguel's daughter as his wife. When Tobias demurs since he knows of Sarah's success with bridegrooms, Raphael reminds him of the fish guts. When Tobias eventually spends the night (in prayer) with Sarah, he casts the organs on the fire, and Raphael duly restrains the demon in Upper Egypt. At dawn after the first night that Tobias and Sarah spend together, Raguel actually has a grave dug in preparation for Tobias's burial and is astonished to find him alive.

[24] For a discussion of the "power of the keys," see n. 487.

[25] Judge Peter is not previously mentioned by name, but the questioning of Stadlin cited in 86D was conducted by him. This man was bailiff of the High Simmen Valley, a territory ruled by the city of Berne. Several men with this first name were bailiffs of the area between 1389–91, when the area was annexed by Berne, and the late 1430s, when Nider edited the *Ant Hill*, our sole source for Peter's investigation of sorcery, but there is no known evidence to distinguish which is Nider's informant.

[26] A story relating to this Stadlin is also told in 145B–C.

he is touched by public justice, he will lose all the strength of his evil," the outcome of the matter proved this. For he was arrested and burned to ashes because of the many acts of sorcery committed by him (these are set out in various places here and there, being suitable for assorted topics).

If it were useful to recount the many events that happened to us[27] as we labored in the Office of the Inquisition, the mind of the reader would certainly be inspired to astonishment, but since praise in one's own mouth is tawdry,[28] it would be best to pass them over in silence rather than incur censure for vain boasting. An exception, however, is made for those events that were brought to the light of day by God, because they cannot be concealed. In the town of Ravensburg, | sorceresses who were 87C
to be burned to ashes were being questioned by the chief magistrates as to why they had not inflicted acts of sorcery on us as they had on other humans, and they answered that, although they had tried to do so many times, they were unable to. When the magistrates asked about the reason, they answered that they knew only that this was the information that they had received from the demons. We are incapable of relating how many times they harassed us by night and by day, disturbing us with their shouts and insults, now as monkeys, now as bitches and she-goats! When we got up at night for prayers (however lacking in devotion),[29] we found them outside the window of the place (which was so high up that someone could have reached it only with a very long ladder) sticking pins into their linen headdresses with very heavy blows that seemingly struck their heads directly, as if their intention was to insert the pins into our heads by magical art. But praise be to the All-Highest, Who, by His piety and in the absence of acts earning merit on our part, saved us as the unworthy public servants of the justice of the Faith.

Regarding the second group,[30] the explanation is self-evident. This 87D
is the reason why they are exorcized by the Church, and the remedies for preserving oneself from the onslaughts of the sorceresses are very effective in every way. If it is asked by what method someone should protect himself, something should be said first about the elements that do not involve the tying on of Holy Words[31] and then about the holy chants.

[27] Plural for singular, Institoris being most likely meant.
[28] This is a common medieval aphorism.
[29] False humility.
[30] I.e., those protected by the rites of the church (86C).
[31] I.e., tying onto clothing something bearing a sacred text (see 88D).

Regarding the first, it is lawful to sprinkle with Holy Water any respectable places of humans and of domestic animals with the invocation of the Most Holy Trinity and with the Lord's Prayer in order to save the humans and domestic animals. This is what one says in an exorcism in order that whatever place is sprinkled with the water should lack all uncleanness and be freed from harm, that no baneful spirit should reside there, and so on. For according to the prophet [Psalm 35:6] the Lord saves humans and domestic animals, each one in proportion to his measure.

The second method. In the second method (lighting a Blessed Wax Taper) it is appropriate to sprinkle the places of inhabitation with such a wax taper, just as this was a necessity in the first method.

88A Third, | it is very useful to attach blessed plants or fumigate with them, or to join them to the inhabitants in some hidden place. For the following event took place in the city of Speyer in the very year in which this book was begun.[32] A devout woman exchanged quarrelsome words with a suspected sorceress in the manner of womenfolk, who upbraid one another. That night, when she wanted to place her little one who was nursing in the crib and reviewed in her mind the things she had done during day with the sorceress, she was apprehensive of the danger to the boy and put blessed plants under him, sprinkled him with Holy Water, put a little exorcized salt in his mouth, protected him with the Sign of the Cross and tied him carefully to the crib. Behold, around midnight she heard the boy crying, and when she wished, as was her habit, to caress the boy and to move the crib, which had been placed high up near the bed, she did move the crib but could not caress the boy because he was gone. Trembling in her great distress at the loss of
88B the boy, the poor woman lit a candle | and found the little one crying in the corner under the bed but without harm.

In this matter one can consider the power that the exorcisms of the Church possess against the treachery of the Devil. It is also crystal clear that the mercy and wisdom of Almighty God, which "touches strongly from beginning to end," does in fact "concordantly arrange" [Wisdom 8:1] the acts of sorcery of these very bad people and the demons, so that when they seek to undermine and weaken the Faith, they strengthen it in the hearts of many and make it take root more firmly. For evil acts of this kind result in many advantages for the faithful when in this way the Faith is made stronger, the evil of the demon is seen, the mercy

[32] I.e., 1485.

and power of God is made manifest, and humans are set in action to protect themselves and are inflamed with the desire to revere the Passion of Christ and the ceremonies of the Church.

During those days, the superintendent[33] of a certain village named Wiesental was affected through sorcery with very severe pains and dislocations of the body and was taught not so much by other sorcerers as | by his own experience that this had happened to him through acts of 88C
sorcery. He said that it was his custom to protect himself every Sunday by consuming Holy Salt and Water, and that when he neglected to do so because of the celebration of a wedding, on the very same day he was affected by sorcery.

What of the man in Ravensburg, who was importuned to commit the carnal act by the Devil in the shape of a woman? Being very worried when the Devil refused to stop, he got the idea that he ought to protect himself by eating salt as he had heard during a sermon. Then, after he had eaten Holy Salt at the entrance to the bedroom, the woman looked at him with a savage expression and suddenly disappeared, reproaching whichever of the devils had informed him of this. In this case, the Devil was there, either himself in the form of a sorceress or with the bodily presence of the sorceress, since he can do both with God's permission.[34]

There were also the three fellows walking down a road. Two of them were struck by a bolt of lightning, and when the terrified third one heard voices shouting in the air, "Let's strike | him, too!" he heard another 88D
respond, "We can't do that because today the Word was made flesh [John 1:15]." The man understood that he had been preserved because he had attended Mass and at the end of it had heard the words from the Gospel of John [1:1], "In the beginning was the Word and" and so on.

Another method is through Holy Words attached to the body, since they have a miraculous ability to save so long as seven conditions are maintained in connection with them. (These will be mentioned in the last question of the present Part Two,[35] because there the remedies for healing will be treated just as the ones for rescuing are here.) These Holy Words serve not only to rescue but also to heal those who have been

[33] German *Schultheis*, the head of municipal administration appointed by the sovereign, in contrast to a *Bürgermeister* elected by the citizens. Since Wiesental lay beside a residence of the bishops of Speyer, presumably he would have appointed this administrator.

[34] I.e., either it was a demon in an assumed body pretending to be a sorceress or the woman actually was a sorceress who had been brought there by a demon.

[35] I.e., Q. 2, Ch. 6 (170D–179A).

affected by sorcery. Words with a particular ability to rescue the places of humans and domestic animals are the Triumphal Title[36] of Our Savior, "Iesus + Nazarenus + Rex + Iudeorum" ["Jesus + of Nazareth + King + of the Jews"], so long as they are inscribed in the manner of a cross on
89A four sides of the place, or if the name of the Virgin Mary or | of the Evangelists or the words of John, "The Word was made flesh" are added.

The third kind of people who cannot be harmed by sorceresses is very particular, in that they are protected inside and outside by a special guard of angels: inside through the infusion of Grace, outside through the protection of the heavenly forces, that is, of the movers of the heavenly spheres. This kind is split into two categories of the Elect, in that they are either protected against all kinds of acts of sorcery, so that they cannot be harmed in any regard, or are made pure in terms of the power to procreate by these good angels in the same way that evil spirits use their acts of sorcery either to inflame certain evil men about one woman or to make them cold about another.

First, the explanation about the internal and external protection in terms of Grace and of the influences of the heavenly bodies is as follows. Although God infuses Grace into our mind by Himself, so that no creature's power can extend to an infusion of this sort according to the
89B passage "Grace and glory | the Lord will give" [Ps 83:12], nonetheless by means of giving an inclination, as St. Thomas tells us in some passage on *Pronouncements*, Bk. 3, a good angel co-operates, when God wishes, to infuse some noteworthy Grace.[37] This is what Dionysius asserts: "It is immovably fixed as a law of divinity, that the lowest things are completed by the highest ones through the agency of the middle ones" (*Divine Names*, Ch. 4 [actually, *Divine Hierarchy* 4.3]). Hence, whatever good flows into us from the fount of all goodness we have through the assistance of good angels.

Let us give illustrations with explanations. Although only the divine power was effectively present for the conception of the Word of God in the Most Blessed Virgin Mary, through whom God was made man, nonetheless by the assistance of angels the mind of the Virgin was greatly impelled or predisposed to good by their salutation[38] and by their confirming and instructing her intellect. The explanation is that it is also

[36] I.e., the words on the placard stating Jesus' crimes that was attached to the cross by Pontius Pilate's order (Mark 15:25, Luke 23:38, John 19:19).

[37] The vague quote comes from Nider, who perhaps has *Sent.* 2.11.1.1.Ra2 in mind ("grace and glory," though not the explicit citation of Psalm 83, appear there).

[38] I.e., the "greeting" in Luke 1:28, which gave rise to the "Hail, Mary."

the opinion of the Doctor mentioned above that in man there are, as we see, three elements: the will, the intellect, and | the other internal 89C and external powers attached to the limbs and organs of the body. Upon the first only God has the power to act, because "The heart of the king is in the hand of the Lord" [Prov. 21:1]. A good angel can do so in the manner of giving an inclination, in that he can give the intellect more enlightenment to recognize what is true and good, so that upon the second both God and the good angel can act through the giving of enlightenment. The good angel can likewise act upon the third for the good, and though the evil angel can, with God's permission, send in evil impressions, it is nonetheless in the power of the human will to accept or reject such impressions when they have been made, since a man can always repel them through the invocation of God's Grace.

Regarding the external guard, which is shared out by God through the movers of the spheres, it is the common teaching and the one more in keeping with both theology and natural philosophy,[39] that all the heavenly bodies are moved by the virtue of angels, who are called the movers of the spheres.[40] They are named the Virtues of Heaven by Christ and the Church, and consequently | all the bodies of this world are governed 89D by the heavenly influences, as the Philosopher attests (*Meteora*, Bk. 1 [actually, *Metaphysics*]). For this reason, we can also say that since God exercises a particular providence over His Elect, although He subordinates certain people to the evils (penalties) of this life, He still rescues certain people, so that they can be harmed in no regard. They receive this gift either from the good angels delegated to guard them by God or as a result of the influences of the heavenly bodies (the movers of the spheres).

It should be further noted that while some people are protected against all acts of sorcery and others are protected against some acts and not against all of them, there are some who are particularly made so chaste by the angels in terms of the power to procreate that in that power the evil ones cannot affect them in any way through sorcery. To write about these people seems to be partly redundant, though it would be partly necessary on account of the fact that those who are affected by sorcery in terms of the power to procreate are bereft of the guard of angels either because they are always in mortal | sin or because they pursue these 90A disgusting acts for the sake of an extremely debauched desire, and for

[39] "Natural philosophy" was the term for what we would call "science," a term that acquired its modern sense only in the eighteenth century.

[40] See Pt. 1 n. 278.

this reason, as was also discussed in Part One of the work,[41] God gives more permission for that power to be affected by sorcery, not only on account of its baseness but also on account of the fact that the corruption of the First Ancestor is passed on to the whole human race under the rubric of original contamination.

Let us say a few words about how a good angel at times benefits righteous and holy men, especially in terms of the force to procreate. This is what happened to St. Serenus the Abbot, about whom Cassian tells a story in the *Conferences with the Fathers* (*First Conference*, *about Abbot Serenus* [7.2]). "Hence, in light of his internal chastity of heart and soul, he devoted himself unflaggingly to prayers by night and day, and also to fasts and vigils, and in the end he perceived that through divine Grace he had extinguished all the roilings of carnal lusting in him. Then, being kindled with a greater zeal for chastity, he used the aforementioned remedies and prayed to God that the chastity of the inner man should spill over into the body by God's gift. Eventually,
90B an angel came to him | in a vision at night, and seemingly opening his stomach, the angel wrenched a burning lump of flesh from his guts and returned all his intestines to their place, just as they had been. 'Look,' he said, 'the parts of your flesh that incite have been cut out. Be advised that today you have obtained constant purity of body in accordance with the prayer in which you asked that you should no longer by buffeted by the natural impulse that is roused even in little ones who are nursing.'"

St. Gregory says the same about St. Equitius the Abbot (*Dialogues*, Bk. 1 [actually, 4.1]). "When in the days of his youth the parts of the flesh that incite were wearing him down in a bitter struggle, the very difficulty of his temptation made him more adroit at pursuing prayer. When in this matter he was constantly praying to seek a remedy from Almighty God, one night he saw himself being castrated through the presence of an angel, and in his dream it seemed that this angel was cutting out all movement from his genital organs. From that time on he was averse to temptation, just as if he did not have a sex in his body." Behold how
90C great | a benefit it is to be made chaste! Relying on this virtue, with the help of God he later came to be put in charge of women, just as he had previously been in charge of men.

In the Lives of the Fathers which St. Heraclides, a most religious man, collected in the book that he names *Paradise*, he has a similar story

[41] 46C–D.

about a certain holy father and monk whom he calls Elijah. Moved by mercy, Elijah gathered three hundred women in a monastery and began to govern them. After two years, however, when he was thirty-five years old, he was tempted by the flesh and fled to the wilderness. There he fasted for two days, praying, "Lord God, either kill me or free me from this temptation." At dusk a dream crept upon him, and he saw three angels come to him. When they asked why he had fled from the monastery of nuns, and he did not dare to answer for shame, the angels said, "If you are freed, will you return and look after the women?" He answered that he would readily do so. Then, after receiving from him the oath that they demanded, they castrated him. | One 90D
seemed to cut off his hands with a razor, the second his feet, and the third his testicles, not that this really happened but it seemed to. When they asked if he felt the remedy, he answered that he felt a very great relief. Five days later, he returned to the grieving women, and for the forty more years that he lived, he felt not even a glimmer of his old temptation.

We read that no less a benefit was bestowed on St. Thomas, the Doctor belonging to our Order.[42] He was imprisoned by his relatives for having entered this Order and was tempted by means of a prostitute seducing him back to the secular world. She had been sent in by his relatives wearing the most elegant clothing and adornment. When the Doctor saw her, he rushed for something burning, snatched a lit firebrand and sent flying from the prison this woman who was offering burning lust. Immediately falling on the ground to pray for chastity, he fell asleep. At this point, two angels appeared to him, saying, "Behold, on God's behalf we are girding you with a belt of chastity which | from now on 91A
cannot be undone by any assault. What is not acquired by human virtue through acts of merit is bestowed as a gift on God's part." He then felt the girding, that is, the touch of the girding, and woke up with a shout. Afterwards, he felt that he had been made a present of so great a gift of chastity that from that time on he shunned all debauchery, and for this reason he could speak to women only by necessity and instead was mighty in his perfect chastity.

This material is from Nider's *Ant Hill*.[43]

With the exception, then, of these three kinds of men, no one is safe from sorcerers' using the eighteen methods described below either to

[42] Aquinas was a Dominican.
[43] I.e., the stories of Serenus, Equitius, Elijah and Aquinas.

affect them with sorcery or to tempt and urge them to commit sorcery.[44] First, these ways are to be treated in order, so that the subsequent discussion of the remedies by which those affected by sorcery can be relieved will be that much clearer, and in order that the explanation of these eighteen methods will be that much clearer, they will be treated in as many chapters. First, concerning the initiation of sorceresses, the various methods by which sorceresses allure young girls to increase this sort of faithlessness will be explained. Second, the method by which they make
91B their sacrilegious avowal, at which point | they are also prevailed upon to make a certain declaration rendering homage to the Devil. Third, the method by which they are transported in location, either in body or spirit. Fourth, the method by which they subordinate themselves to incubus demons. Fifth, the general method by which they practice their acts of sorcery through the Sacraments of the Church, and that method in particular by which, with God's permission, they regularly taint any creations at all, with the exception of the heavenly bodies. Sixth, the method by which they impede the power to procreate. Seventh, the method by which they remove male members through the art of conjuring. Eighth, the method by which they turn humans into the appearance of animals. Ninth, the method by which demons exist inside heads without harm when they work appearances of conjuring. Tenth, the method by which demons sometimes inhabit humans in substance through the working of sorceresses. Eleventh, the method by which they inflict every kind of illness (in general). Twelfth, concerning certain illnesses (in par-
91C ticular). Thirteenth, | the method by which midwife sorceresses inflict greater losses by killing babies or by offering them to demons through execration. Fourteenth, the method by which they inflict various injuries on domestic animals. Fifteenth, the method by which they stir up hail and rain storms and bring lightning bolts down on humans and domestic animals. Sixteenth, seventeenth and eighteenth, the three ways in which men and not women engage in acts of sorcery. After these topics there will follow a question on the ways of breaking such spells of sorcery.[45]

Let no one imagine at all that when these various methods of inflicting various acts of sorcery are recounted, he acquires a knowledge of them. For this would not be very useful, and indeed it could even be harmful.

[44] With the following list of the individual chapters, compare the broader description of this material in 86A–B.

[45] This is the second "difficulty" mentioned in 85D (referring to 152–158C) rather than Q. 2 of Pt. II.

The prohibited books of nigromancy are not included here, since the present kind of superstition is not performed with books or by the learned but by the altogether ignorant.[46] It has a single foundation, and since this foundation is not expressed or demonstrated, it would be impossible | for someone to engage in acts of sorcery as a sorcerer. The methods are, 91D however, related in a superficial manner in order that their works should not seem unbelievable, as has been the case up until now, which has resulted in great insult to the Faith and in the increase in number of the sorcerers.

If, on the basis of the foregoing, where it was said that certain people are rescued through the influences of the heavenly bodies so that they can in no way be affected by sorcery, someone also wishes to ascribe to those influences situations where some people are affected by sorcery, as if there existed some necessity either to be rescued from acts of sorcery or to be tainted by them, such a person would not properly grasp the meaning of the Doctors in several respects.

First, there are three things that can be guided by heavenly causes, namely acts of the will, acts of the intellect, and bodily things, the first being directly guided by God, as was discussed above,[47] the second by an angel, and the third by a heavenly body (though it is guided and not compelled).

Second, since it is obvious on the basis of the previous statements that people's choices and wills are guided | directly by God according 92A to the Apostle ("It is God Who works in us the act of forming the will and of fulfilling it in light of His good will." [Phil. 2:13]), and recognition by the human intellect is ordained by God through the intervention of the angels, therefore, any aspects of the body at all, whether internal, like virtues and kinds of knowledge acquired through internal bodily powers, or external, like varieties of health or illnesses, are also distributed by the heavenly bodies through the intervention of the angels. Dionysius discusses this in Chapter Four of *Divine Names* [4.2], saying that the heavenly bodies are the causes of the things that happen in this world. Yet, these statements should be understood in terms of natural forms of health and illness, and since the forms of illness in question are supernatural, resulting from the demon's power that inflicts them with God's permission, we cannot say that someone's being affected by sorcery happens as a result of the influences of the

[46] Here, a clear distinction is made between traditional folk magic as practiced by peasants and the sort of "learned" sorcery associated with misguided clerics.

[47] 33B.

heavenly bodies in the same way that it can be properly said that the impossibility of someone being affected by sorcery is the result of the influences of the heavenly bodies.

If it is said that opposite phenomena have to take place in relation
92B to the same thing and that | an opposite exists in what is opposed, just as a proposition exists in what is proposed,[48] the response is that when someone is rescued from these supernatural forms of illness, this is not done directly by the virtue of the heavenly bodies but by the virtue of angels, which can strengthen that influence, so that the Enemy could not prevail over it with his acts of sorcery. This angelic virtue may be derived from the mover of a heavenly sphere. For instance, if right now someone ought to die in his natural course of life, God, Who always performs works of this kind through intermediary causes, can change this by His power, introducing a rescuing virtue in place of the defective virtue of nature and its influence. Thus, we can say of a person who could be affected with sorcery that he is also rescued from acts of sorcery in this way. Or such rescuing is carried out by an angel delegated to act as a guard, which is the highest form of guarding of them all.

What is stated in Jeremiah 22[:30] ("Write that the man who does not prosper in his days is sterile") is understood in terms of the choices
92C | of the will, in which one man is made to prosper and another is not. This can also happen as a result of the influences of the heavenly bodies. For example, as a result of an impression caused by the heavenly bodies, someone is made prone to certain beneficial choices, like adopting a religious vow or the like. When his intellect is enlightened to do these things from the light of an angel and his will is made prone to fulfill this as a result of God's working, it is said that such a man enjoys good prosperity. Another example is when someone is made prone to practice some art or something beneficial. Conversely, he will be said to be ill fortuned when, as a result of higher causes, his choice is made prone to

[48] The phrase "a proposition exists in what is proposed" is used in an effort to retain something of the jingle in the Latin (which is clearly an aphorism of scholastic logic), though the sense is "an assertion exists in what is asserted." The point is that something called an opposite is defined by what is considered to be its opposite in the same way that a statement is defined by its predicate. Hence, if it is argued that the ability of something to avoid illness can be determined by the heavenly bodies, then, since the opposite quality would be susceptibility to illness and opposites relate to a single phenomenon, it should follow that the heavenly bodies should also be able to induce illness. The (not very convincing) retort is that the heavenly bodies do not precisely grant immunity to sorcery but merely grant a tendency in this direction which must be "heightened" through the action of good angels. The necessary corollary of this, of course, is that such a tendency can likewise be overridden by "evil angels," i.e., demons.

the opposite things. Regarding these and many other pronouncements, St. Thomas describes in *Summa Against the Gentiles*, Bk. 3 [3.92] and in a number of other places what the difference is in calling someone well or ill born, well or ill fortuned, well or ill governed and guarded. Someone is said to be well or ill born or well or ill fortuned as a result of the inclination left behind by a heavenly body. | Insofar as someone 92D
is enlightened by an angel, he is said to be well and not ill guarded in the situation where he follows the enlightenment, and insofar as he is enlightened by God to the good and carries it out, he is called well governed.

Such choices are not relevant here, however, since we are treating not them but rescue from the infliction of acts of sorcery. About this rescuing let it suffice for the present to take up the topic of the ceremonies practiced by the sorceresses. First, the methods by which they entice the innocent to their breach of the Faith.

[Note on Sources
Major identified sources for Introduction:
Nider, *Form.* 5.4, 5, 6
*Praec.* 1.11, 36, 36]

## On the different methods by which demons allure and entice the innocent through sorceresses to increase this form of breaking the faith

### Chapter One

THERE are three methods that the demons use more than the others to overturn the innocent through sorceresses and as a result of which that form of breach of the Faith is constantly increased. The first | is the exhaustion that results from them relentlessly causing losses in 93A
temporal matters. As St. Gregory says,[49] the Devil tempts repeatedly in order that the feeling of exhaustion at least should make him victorious. You[50] should understand that this temptation does not surpass the strength of the one tempted. As for the divine permission, explain that God gives His permission so that humans will not grow sluggish through

[49] Original source unknown, but the quote comes from Antoninus, *Summa* 1.6.13.4.
[50] The imagined reader is conceived of as a potential preacher to whom directions are given.

laziness. In token of this it is said, "The reason why God did not destroy these races was in order that he might educate Israel with them" (Judges 2).[51] This passage is speaking of the neighboring Canaanite, Jebusite and other nations,[52] and in the present day the Hussites[53] and other heretics are given permission, so that they cannot be destroyed. Thus, the demons use the sorceresses to afflict the neighbors of the sorceresses and the innocent with losses in temporal matters that are so great that as if under compulsion the neighbors must first beg for the help of the sorceresses and finally submit to their advice.

Experience has often taught us this. We know an inn-keeper in the diocese of Augsburg who within one year had forty-four horses affected with sorcery, one after the other. Being afflicted with the feeling of exhaustion, his wife consulted sorceresses. By following their advice,
93B which was clearly not wholesome, she rescued | the other horses that he had subsequently bought since he was a haulier.[54] When we were in the Office of the Inquisition, how many women complained to us that when they had consulted suspected sorceresses because of losses inflicted on cows though the deprivation of milk and on other domestic animals,[55] they heard remedies offered on the condition that they were willing to make some promise to a spirit! When they asked what promise had to be made, the sorceresses answered that it was not much. The women just had to agree to follow the Master's instructions about certain observances during Divine Service in church or to keep silent about certain things when making Confession to priests. Here it should be noted that, as was discussed above, the infamous Contriver of a Thousand Deceits[56] begins with a few trivial matters, like spitting on the ground or closing one's eyes at the Elevation of the Body of Christ,[57] or uttering some
93C unsalutary[58] words. For instance, we know that when | the priest greets the congregation during the solemn rites of the Mass by saying, "The Lord

[51] The quotation is actually a paraphrase of Judges 2:2–22 and 3:1.

[52] Various opponents of the Jews in the attempt to occupy the Holy Land after the exodus from Egypt.

[53] Jan Hus (ca. 1369–1415) was a Czech reformer who came into conflict with the church hierarchy and was burned at the stake at the Council of Constance in blatant violation of the Emperor's safe conduct. His followers, the Hussites, continued his opposition to the church and started a major revolt in Bohemia during the fifteenth century. The reference here is to the Hussites' military victories over their Catholic opponents.

[54] I.e., a carter, someone who hauled things for people with his own horse and wagon.

[55] Note how simple folk magic is equated here with elaborated Satanism.

[56] I.e., the Devil.

[57] The elevation of the host as it was consecrated in preparation for communion became an element of the mass that received much attention from the devout during the later Middle Ages.

[58] I.e., endangering eternal salvation.

be with you," the woman who still survives because of the protection of the secular arm,[59] always adds in the vernacular, "Kehr' mir die Zunge im Arsche um" ["Twirl your tongue in my ass"]. Other trivial acts are the uttering of similar words in Confession after Absolution has been granted or never making a full Confession, especially about mortal sins. In this way, they are gradually brought to the complete renunciation of the Faith and the sacrilegious avowal.

This method, as well as any similar one, is a practice used by sorceresses on respectable matrons, who are less given over to carnal vices and more greedy for earthly benefits. But for young women, who are more given over to ambition and the pleasures of the body, they practice a different method, making use of the desires of the flesh and pleasures of the body.

Here it should be noted that since the Devil's intent and appetite are greater in tempting the good than the evil (although from the point of view of those tempted he tempts the evil more than the good, that is, a greater ease in accepting the temptation of the Devil is found in the evil than is in the good), | he makes greater efforts to lead astray all the 93D
holiest virgins and girls. Experience provides more than enough proof of this, and so does reason. Since he already owns the evil but not the good, he makes greater efforts to lead astray to his dominion the righteous, whom he does not own, than the evil whom he does, in the same way that an earthly prince rears up more against a man who derogates more from his rights than he does against others who do not oppose him.

Experience. In the town of Ravensburg, two women were burned to ashes, as will be explained below where the method followed by them in stirring up storms is discussed,[60] and the one of them who was a bath keeper told the following story among the other things to which she confessed. She endured many injuries at the hands of the Devil, because she had to lead astray a certain devout maiden who was the daughter of a certain very rich man (there is no need to name him, since she is dead, it having been arranged by divine mercy that evil should not make her heart depraved) by | inviting her on some holy day, so that the demon 94A
could engage in his sorts of conversation with her in the appearance of a young man. She added that although she had tried to do this very often, whenever she addressed the young woman, she would always protect herself with the Sign of the Holy Cross. No one doubts that this clearly

[59] See 49A.
[60] Ch. 15 (144C–147A).

resulted from the prompting of a holy angel in order to rout the works of the Devil.

There is another maiden in the diocese of Strasburg, and in confession to one of us she claimed that one Sunday, when she was walking around alone in her father's house, a certain old woman of that town came to visit her, and among the other dirty words that she uttered, she added at the end, that if the maiden wished, she would take her to a place where young men unknown to all the people of that town were staying. "After I agreed" the maiden said, "and followed her to the house, the old woman added, 'All right, we'll go upstairs to the upper room, where the young men are staying, but make sure that you don't protect yourself with the
94B Sign of the Cross.' After | I claimed that I would do this, she led the way, and while I followed up the stairs, I secretly protected myself with the Sign of the Cross. What happened then is that when we both stood in front of the room at the top of the stairs, with a fearsome expression and angry demeanor the old woman turned and looked at me, saying, 'Hey, curse you! Why did you cross yourself with the Sign of the Cross? In the name of the Devil, get out of here!' Thus, I returned home unharmed." From this story one can gather the cunning with which the Ancient Foe runs riot for the purpose of leading souls astray.

The bath keeper mentioned above who was burned to ashes claimed that she too had been led astray like this by an old woman, but her companion was led astray in a different way. This companion came upon a demon in the appearance of a human on a road, while she was intending to visit her boyfriend to fornicate. She was recognized by the incubus demon and he asked whether she recognized him. When she stated that she did not recognize him at all, he answered, "I am a
94C demon, and if you wish, | I will always be ready for your desire, and I won't abandon you in any dire straits." She agreed to this, and for the next eighteen years until the end of her life, she dedicated herself to those filthy acts of the Devil (with a complete renunciation of the Faith).

There is also a third method of alluring, by means of sadness and poverty. Young girls are sometimes corrupted by lovers with whom they have shamelessly copulated for the sake of marriage. The girls trust their lovers' promises, and then when they are rejected, they are disappointed in their every expectation and consider themselves to be disgraced in every regard. At this point, they turn to[61] every sort of assistance offered

[61] The Latin verb used here (*convertere*) suggests that this act of "turning to" is a form of religious "conversion."

by the Devil or plot vengeance by affecting with sorcery their lover or the woman to whom he has joined himself or else by subjecting themselves to all filthy acts. There is no counting the number of such young women, as experience unfortunately teaches, and, there is likewise no counting the number of sorceresses who rear up from among them.

Let us recount a few events among many. There is a place in the diocese of Brixen,[62] and there a young man testified to such a case regarding his wife, who had been affected by sorcery directed against him.[63] | "I fell in love with a certain woman during my youth," he said, 94D
"and while she continually importuned me to join with her in marriage, I rejected her and took as my wife a woman from another territory. I nonetheless wished to please her for the sake of friendship and invited her to the wedding. She came, and when the other, respectable women were giving presents (offerings), the woman whom I had invited raised her hand and said in the hearing of the other women who were standing around, "There will be few healthy days that will you have after this one." Terrified, my bride asked the by-standers who this woman was who had made such threats to her, since she did not recognize her, having been brought for marriage, as I've already said, from another territory. The other women stated that she was a lax and promiscuous woman. In any case, the events that she foretold ensued, and in that order – a few days later she was affected by sorcery, so that she lost the use of all her limbs. More than ten years later, the effects of this sorcery can still be seen on her body today."

If | it were necessary to insert the occurrences that were found in just 95A
the one town of that diocese, a whole book would have to be written. Those occurrences were written up and deposited with the Bishop of

[62] I.e., Innsbruck, where Institoris suffered a serious setback in the fall of 1485, when he tried to institute an inquisition into sorcery but was thwarted by local opposition. Q. 1, Ch. 12 (134B–136D) is mainly concerned with events that were reported to him there.

[63] The following story concerns Helena Scheuberin, one of the eight women whom Institoris accused of being sorceresses in Innsbruck, and his recollection here is not entirely reliable. On Oct. 18 the supposed female victim (her name is not preserved) gave a deposition in which she stated that she was brought by her husband for marriage from Bavaria, and during the wedding festivities Scheuberin said, "You will not have many good and healthy days here." In his Latin instructions for questioning Scheuberin in his absence, Institoris quotes her as having said, "You will not have many healthy days here." The deponent then stated that she was healthy only from St. Bartholomew's day (Aug. 24) until St. Gall's day (presumably Nov. 1, the feast of the second and less famous saint of this name; the first feast of St. Gall is July 3), and that she was in the seventh year of her ongoing illness. On the same day (Oct. 18), the husband gave a deposition that he had known Scheuberin carnally but refused to marry her despite her willingness, conjecturing that this was the cause for the sorcery. In his instructions, Institoris repeats this assertion as fact, claiming that Scheuberin had had sexual relations with many men.

Brixen,[64] and they are certainly both astonishing and unheard of, as the Bishop can attest.

Nor, we think, should another astonishing and unheard-of affair be passed over in silence. A certain high-born count of the land of Westrich[65] within the territory of the diocese of Strasburg took as his wife a similarly high-born young woman, but he was unable to know her carnally until the third year after the celebration of the marriage, since, as the upshot of the matter proved, he was hindered by an impediment caused through sorcery. Being worried and not knowing what to do, he constantly invoked the Saints of God, and one day he happened to go to the city of Metz to finish some business. As he was walking through the streets and lanes of the city surrounded by his servants and family, he met a certain woman who had been his concubine many years before. When he saw her, the farthest thing from his mind were the acts of sorcery
95B inflicted on him, and unexpectedly addressed her politely because of | the old friendship they had formed, asking her how she was doing and how her health was. Seeing the piety of the count, she in turn earnestly asked about the health of his body and his situation. When he answered that everything was turning out prosperously for him, she was astonished and fell silent for a little while. Seeing her astonishment, the count spoke to her some more with polite words, inviting her to a dinner party. When she asked about the situation of his wife, she received a similar answer, to the effect that she was well in all regards, and when she then asked whether he had fathered children, the count said, "I have three male children. She's given birth to one each year." At this she was further amazed and fell silent for a while, and then the count said, "I ask you, my dear, tell me why you are asking so urgently. I don't doubt that you are glad for me on account of my good fortune." Then she said, "Truly I am, but curse that old woman who offered to affect your body with sorcery, so that you could hardly perform the carnal act with your wife! As a sign
95C of this, | the well in the middle of your courtyard has at its bottom a jar that contains certain objects for sorcery, and it was placed there so that you would have impotence in copulating for as long as the jar remained there. But now look! All the things that I have been rejoicing at are in vain" and so on. The count did not waste a minute. Returning home, he had the well emptied and found the jar. After burning everything, he suddenly recovered the power that he had lost. Next, the Countess

[64] I.e., the depositions of witnesses were drawn up in the form of a protocol, which was left in the bishop's keeping.

[65] Perhaps Westrich near Zweibrücken is meant.

re-invited all the noblewomen to a new wedding, stating that now she was the mistress of that castle and territory after having remained a maiden for so long. (Out of respect for the count, it would not be useful to mention the castle[66] and territory by name. For right reason urges not only this but also that the essence of the deed should be revealed as a public indication of the repugnance felt for such a great crime.) From these facts are revealed the various methods followed by sorceresses for the increase of their lack of faith. For the woman mentioned above inflicted this act of sorcery on the count following the instructions of another sorceress after having been replaced by the count's wife, | and 95D this reason leads to countless effects caused through sorcery.

THERE FOLLOWS A DISCUSSION OF THE METHOD OF MAKING A SACRILEGIOUS AVOWAL

## Chapter Two

THE METHOD OF MAKING the sacrilegious avowal in connection with an explicit agreement for faithfulness with the demons is varied, inasmuch as the sorceresses themselves engage in various practices in the infliction of acts of sorcery. To understand this, it should first be noticed that while the sorceresses appear in three kinds (those who harm but are unable to heal, those who cure and do not harm as a result of a particular agreement entered into with a demon, and those who harm and heal), as was discussed in Part One of the treatise,[67] among those who harm one kind is supreme, and those who belong to this kind are able to commit all the acts of sorcery, while the others practice only some each. Hence, | when the method by which the former make their 96A avowal is described, a sufficient explanation of the other, lower varieties is given. It is they who, contrary to the tendency of human nature, indeed of all wild animals with the sole exception of wolves, devour and consume babies of their own kind. This is the kind that is supreme in practicing acts of sorcery. For it is they who have a propensity for all other forms of harm. It is these sorceresses who stir up hailstorms and harmful winds with lightning, who cause sterility in humans and domestic animals, who offer to demons, as was explained above,[68] or else kill the babies whom they do not devour. (This concerns babies who

[66] I.e., *Schloss*.
[67] 58C–D.
[68] 64B.

have not been reborn in the Font of Baptism; those that they devour have been reborn, as will be explained,[69] but they do this only with God's permission.) They also know how to cast infants who are walking near water into it without anyone seeing, even within the sight of their parents; how to make horses go crazy under their riders; how to move
96B from place to place through the | air, either in body or imagination; how to change the attitude of judges and governmental authorities so that they cannot harm them; how to bring about silence for themselves and others during torture; how to instill great trembling in the hands and minds of those arresting them; how to reveal hidden things and to foretell certain future events on the basis of information from demons, (i.e., those events that have some natural cause; see the question as to whether demons can learn of future events in advance in *Pronouncements*, Bk. 2, Dist. 12 [actually, *Sent.* 2.7.2.2]); how to see absent things as if they were present; how to turn human minds to irregular love or hatred; on many occasions, how to kill someone they wish to with lightning, or to kill some humans and domestic animals; how to take away the force of procreation or the ability to copulate; how to kill infants in the mother's womb with only a touch on the outside; also on occasion how to affect humans and domestic animals with sorcery or inflict death upon them by sight alone without touch; and how to dedicate their own infants to demons. In short, when God's justice permits such things to happen, these sorceresses who belong to this supreme variety know how to commit all these baneful deeds, while the others know how to bring
96C about only some of them. The reverse, however, | is not the case.[70] (It is, however, the common practice of them all to perform filthy carnal acts with demons.) Accordingly, from the method of making the avowal used by the sorcerers who belong to the supreme variety, one can also easily grasp the method of the other sorceresses.

There were such sorceresses thirty years ago[71] within the territory of Savoy in the direction of the domain of Berne, as Nider recounts in his *Ant Hill* [5.3]. Today, they are within the territory of Lombardy in the direction of the domain of the duke of Austria, where the inquisitor of Como, as was mentioned in the preceding part,[72] had forty-one sorceresses burned to ashes in one year (the year of Our Lord '85), and he is still engaged in constant labor in the Inquisition.

[69] See 97C.
[70] Presumably, this means that they cannot commit these acts without God's permission.
[71] Actually, Nider died in 1438, forty-eight years before the composition of the *Malleus* in 1486.
[72] 64A.

There are two methods of making the avowal. One is a ceremonial way similar to a ceremonial vow. The other is a private one that can be made to a demon individually at any hour.[73] The ceremonial one is carried out among them when the sorceresses come to a certain assembly on a fixed day and see the demon in the assumed guise of a human as he urges them to keep their faith to him, which would be accompanied by prosperity in temporal matters and longevity of life.[74] The women who are in attendance commend to him the female novice who is to be accepted, and then, | if the demon finds the female novice (or male 96D disciple) ready to renounce the Most Christian Faith and Worship, and never to adore the "Distended Woman" (that is what they call the Most Blessed Virgin Mary) and Sacraments, then the demon holds out his hand and conversely the male disciple (or female novice) promises to follow those practices, pledging this by signature. After getting these promises, the demon immediately adds that they are not enough, and when the disciple asks what further ones must be made, the demon asks for homage, which contains the provision that the person will belong to him eternally in body and soul and be willing, to the best of his abilities, to turn any other people, of both sexes, into the demon's associates. He then adds that the person should make himself certain pastes out of the bones and limbs of children, especially those reborn[75] with the Font of Baptism, and that with these pastes he would able to fulfill all his desires with the demon's assistance.

We inquisitors learned of this method through the testimony of experience in the town of Breisach in the diocese of Basel, receiving full information from a young woman who was a sorceress but converted.[76] Her aunt, too, had been burned to ashes in the diocese of Strasburg, and | the young woman stated that the method by which her aunt had 97A originally attempted to lead her astray was as follows. One day she had

[73] I.e., without the participation of other sorceresses.

[74] This is the so-called black sabbath (also referred to with the variant form "sabbat" to distinguish it from the regular ecclesiastical rite). This is a perversion of normal ritual falsely ascribed to heretics by their orthodox opponents. It is sometimes argued that the *Malleus* was of minor influence in the spread of the conception of sorcery as a satanic cult because the black sabbath, which formed a major element in later notions of sorcery, receives little emphasis. Yet, here the black sabbath clearly is mentioned (see also the method of attending "long distance" in 79A–B), and the reason for the failure to mention it more often derives from the fact that such mention is simply not relevant to the purpose of the *Malleus,* which is not intended to serve as a general handbook on the matter but to demonstrate the reality of sorcery and to delineate the ways of dealing with acts of sorcery and of eradicating their perpetrators.

[75] Other sections of the text (97C [with 214D], 138C; cf. 211D) clearly indicate that this should read "those not yet reborn . . . "

[76] This story is also told in 110B–C.

to go upstairs with her aunt and enter a room at her command. There, she saw fifteen young men in green-colored garments after the fashion in which knights[77] go about, and the aunt said to her, "Well, then! From among these young men I will hand over to you the one that you want, and he will take you as his bride." When the young woman said that she did not wish to have any of them, she was badly wounded and eventually gave in, indicating the method mentioned above.[78] She also stated that she had been transported quite often over long stretches of the earth with her aunt at night, all the way from Strasburg to Cologne. It is this woman who gave rise to our promise in Question One to explain whether sorceresses really are moved in body from place to place by demons.[79] (This promise was made because of the words of the Canon (26, Q. 5, "*Episcopi*"), where the sense of the text is that they do so only in the imagination, though sometimes they really are moved in body.) When she was asked whether they went about like this only in the imagination
97B | and fantasy, being deluded by the demons, she answered that they did so both ways. This is in fact the case, as will be explained below[80] in connection with the method of being transported in location. She stated that greater losses are inflicted by midwives, since they must generally either kill babies or offer them to demons.[81] She stated that she had also been severely beaten by the aunt because she had opened a covered jar and found the heads of very many babies inside. She also recounted many other stories, having first sworn an oath to tell the truth, as was fitting.[82]

To her words about the way of making the avowal, unimpeachable corroboration is provided by the things that the aforementioned Johannes Nider, a notable Doctor who even in our days is famous for wondrous writings, recounted in his *Ant Hill* on the basis of the report of an

[77] The meaning of *rutheri* in the Latin is not self-evident, but this is presumably an attempt to transliterate the German *Reuter*, which was a variant on the standard German *Ritter*, or "knight." The descendants of the "knights" of medieval Germany served as the cavalry in the armies of the early-modern states, and hence the word is meant to convey dashing young officers of comparatively high birth.

[78] Presumably, the ceremonial vow of the preceding paragraph.

[79] See 11A.

[80] Ch. 3 (101A–105C).

[81] See 64A–B.

[82] One has to admire the ingenuity of this woman. She admitted to having done homage to Satan, yet managed to convince the gullible inquisitor not only that she had been coerced (which really ought not to have made any difference to him) but that she was actually pious! Not bad for the niece of a burned sorceress. Once the inquisitor was convinced of her "innocence," an oath sufficed to guarantee the accuracy of her account.

inquisitor of the diocese of Autun,[83] who conducted an inquisition in that diocese into many people accused of acts of sorcery and had them burned to ashes. Nider says, "From the account told to me by the inquisitor mentioned above I learned that in the Duchy[84] of Lausanne certain sorcerers | cooked and ate their own baby children. The method of learning this art was, as he said, that the sorcerers came to a certain gathering and by their work they saw the demon as if real[85] in the assumed image of a human, and to him the disciple was obliged to give his word about renouncing Christianity, never worshipping the Eucharist and treading on the Cross when he could do so secretly." 97C

Another illustration from Nider follows. There was also[86] the common report (the story is from Judge Peter in Boltigen),[87] that in the land of Berne thirteen babies were devoured by sorcerers, and for this reason public justice had blazed forth quite harshly against such parricides. When Peter asked a certain captured sorceress about the method by which they ate infants, she answered, "The method is this. We prey on babies, especially those not yet baptized, but also those baptized, particularly when they are not protected with the Sign of the Cross or prayers." (Notice, reader, that they prey on the unbaptized in particular at the instigation of the Devil, so that they should not be baptized.) | It goes on: "With our ceremonies we kill them in their cribs or while they lie beside their parents, and while they are thought to have been squashed or to have died of something else, we steal them secretly from the tomb and boil them down in a caldron until all the flesh is made almost drinkable, the bones having been pulled out. From the more solid matter we make a paste suitable for our desires and arts and movements by flight, and from the more runny liquid we fill a container, for instance a bottle made out of a skin. Whoever drinks from this container is immediately rendered knowledgeable when a few ceremonies are added, and becomes the master of our sect." 97D

Here is another method for the same purpose, one that is more distinct and clear. When a certain young man who had been arrested with his sorceress wife, and in the court of Berne was being held separately from

[83] It is not possible to identify this inquisitor.

[84] Lausanne was ruled (until 1536) not by a duke but by a prince-bishop. The reason for this confusion in the source (Nider) is not at all clear. Perhaps Nider's informant has confused the diocese of Lausanne and the neighboring Duchy of Savoy (itself a hotbed of Waldensian heretics, who were closely associated in the orthodox mind with sorcery).

[85] For this Nider has "visibly."

[86] This adverb is borrowed from Nider and is superfluous in the present context.

[87] A village in the Simmen Valley, which Peter governed as bailiff (see n. 25).

her in a different tower, he said, "If I could receive forgiveness for my misdeeds, I would readily reveal all the things that I know about acts of sorcery. For I see I will have to die." When he had heard from the learned men[88] standing around that he could receive complete forgiveness if he
98A truly repented, he offered himself happily to death, and | described the methods of the original tainting. "The procedure," he said, "by which I was led astray is this. It is first necessary that on Sunday, before the Holy Water is consecrated, the prospective disciple should enter a church with the masters and in their presence renounce Christ, the Faith in Him, Baptism and the whole Church, and then do homage to the masterling." (That is, to the little master. For this and nothing else is what they call the demon.)

Here it should be noted that this method agrees with the others already mentioned. It is no obstacle that sometimes the demon is present when the homage is done to him, and sometimes not. For he is working craftily in the latter case, perceiving the inclination of the prospective disciple, who, as a novice, will perhaps shrink from his presence through fear, though through his friends and acquaintances the demon easily guesses that the prospective disciple gives his assent. The reason why they call him the "masterling" even when he is absent is so that the prospective disciple will be struck with less terror as a result of his considering him to be small.[89]

The following appears at the end. "He drinks from this skin, and once this is done, he immediately perceives that in his innards he conceives and retains pictures of our art concerning the fundamental rites of this sect. By this method," he said, "was I led astray. So was my wife, whom I
98B believe to be | so obstinate that she would rather endure the flames than be willing to confess to the smallest truth. But, alas, we are both guilty."

The truth was found to be exactly as the young man said. After confessing in advance, he was seen to die in great contrition. His wife, on the other hand, though convicted by witnesses, was unwilling to confess to any of the truth, either under torture or in death. Instead, when the fire had been prepared by the executioner, she cursed him with the vilest words and was in this way burned to ashes. From these facts their ceremonial way of making an avowal is clear.

The other method, the private one, is performed in various ways. Sometimes, a demon appears to men or to women who are trapped in some bodily or temporal affliction, sometimes addressing them visibly,

[88] I.e., clerics with an education.

[89] This is a conjecture of the author; the source (Nider) gives no explanation.

sometimes using people as intermediaries. He promises that if they are willing to act in accordance with his advice, everything will turn out as they wish. As was discussed in Chapter One,[90] he begins with small matters in order to lead them gradually to greater ones. Various deeds and events discovered by us in the Inquisition could be narrated in proof of this, but because this topic is not subject to difficulty, it is necessary to strive for brevity, though a further explanation is added.

### *For an explanation of the way they do homage a few things should be noticed* 98C

Regarding the fact that the Devil receives homage, a few things should be noted: for what reason and in what different ways he does this.

First, he does this fundamentally to increase the offence against the majesty of God by appropriating for himself a creature dedicated to God and to be more certain of the future damnation that is his greatest desire, but it has often been found by us that he accepted such homage for a certain number of years at the time of the avowal, though on some occasions he took the avowal only and postponed the homage for a certain number of years. Let us say that the avowal consists of a complete or partial renunciation of the Faith, this being complete when the Faith is renounced as a whole, as was discussed above,[91] partial when as a result of the pact entered into the person has to follow certain ceremonial rituals contrary to the ordinances of the Church (for instance fasting on Sundays or eating meat on Fridays or concealing certain crimes in Confession or committing a similar crime). Let us say that homage consists of the handing over of body and soul.

As for why they follow such practices, we can | cite four reasons from 98D
the point of view of the demon. As was explained in the second basic section[92] of Part One of the treatise ("Whether demons are able to turn men's minds to hatred or love"),[93] he cannot enter the inner thoughts of the heart, since this is appropriate for God alone,[94] but comes to know them from conjectures (as will be explained below),[95] and therefore if the infamous Wily Foe[96] considers that it would be difficult to

[90] 93B.
[91] 96D.
[92] I.e., the discussion of the sorceresses' role in sorcery, as laid out in 20B.
[93] Pt. 1, Q. 7 (46A–52B).
[94] 51B–C.
[95] 100A.
[96] I.e., the Devil.

approach a female novice to secure her assent, he approaches her cajolingly, making few demands in order to bring her gradually to greater ones.

The second reason. Since it must be believed that there is a diversity among those who renounce the Faith, some doing so by mouth and not by heart, some by mouth and by heart, the Devil wishes to test whether she makes her avowal to him by heart as she does by mouth, assigning a certain number of years, so that in that time he may discover her intention on the basis of her works and behavior.

The third reason. If over such a course of time he recognizes that she is not very eager to carry out any crime at all and that she is now adhering to him by mouth but not by heart, and if he presumes that God's mercy will help her through the protection of a good angel, which the demon
99A can test in respect to many things, then | he undertakes to abandon her, and expose her to temporal afflictions so that in this way at least he may make profit from her despondency. The truth of this is obvious. If it is asked why it is that certain sorceresses are unwilling to confess to even the least truth under any torture, even the greatest, while others readily confess to their crimes after each list of questions, and also why it is that after they have confessed, they endeavor to do away with their lives by hanging themselves – for it can in fact be said that when divine compulsion through a holy angel does not co-operate in forcing the sorceress to confess the truth and in dispelling the spell of silence caused by sorcery,[97] then whatever happens, whether this is silence or a confession of crimes, is done by the work of the demons – the first is the case with those whom the demon knows to have denied the Faith by mouth and by heart and to have done homage in the same way, since he is certain of their obstinacy, while, conversely, he abandons the others by not protecting them, because he knows that they are of no use to him at all. Experience has often taught us this in that it was made clear by their confessions that all those women whom we caused to be burned to ashes were involuntary in inflicting acts of sorcery.[98] They did not say this in hopes of escap-
99B ing, | because the truth was clear from the blows and scourges inflicted on them by the demons when they did not comply with their wishes (they were very often seen with faces swollen and bruised), and, likewise,

[97] For the perverse notion that sorcery is the reason why some people refuse to confess under torture, see 210C.

[98] Logically, it is equally valid (and historically rather more plausible) to conclude that the unfortunate women tortured into confessing to non-existent Satanism tried to preserve a shred of dignity by claiming that they had undertaken these "crimes" involuntarily.

because after they have confessed their crimes under torture, they always contrive to end their lives by hanging themselves. The truth is grasped from our practice whereby guards are assigned every hour to watch for such things after they confess their crimes, though sometimes they have been found hanging from shoelaces or veils through the carelessness of the guards. As has been said, the Foe[99] clearly brings this about to prevent them from gaining forgiveness through contrition or Sacramental Confession.

As for those whom he could never entice in their heart, he now endeavors, since it would have been very easy for them to find forgiveness with God, to bring them to despair through temporal shame[100] and the horrible death, although by the Grace of God greater forgiveness, as the pious belief must be, resulted through true contrition and pure confession in instances where they were not voluntary in clinging to those filthy acts.

This is made clear by the things that happened barely three years ago in the towns of Hagenau and Ravensburg in the dioceses of Strasburg and Constance. | In the first town, one hanged herself by a cheap veil that 99C
could be torn into strips. Another one (by the name of Walpurgis) was known for the sorcery of silence, instructing other women as to how they should bring about such silence with a first-born male child cooked up in an oven.[101] More deeds and events are available, and similar accounts of others burned to ashes in the second town will be cited here and there in various passages.

There is a fourth reason why demons postpone receiving homage in the case of some sorceresses, but do not do so at all in the case of others. Since they can learn the length of a person's life more subtly than astrologers can, they have an easier time than astrologers do in either fixing in advance the end point of a life or in anticipating

[99] I.e., the Devil.

[100] I.e., the humiliation that attends their trial, conviction and execution.

[101] The structure of the paragraph would lead one to conclude that this sentence should begin with "The other . . . ", which would then refer to a sorceress from Ravensburg. But the Walpurgis mentioned here is clearly alluded to in 214D in an anecdote that is explicitly ascribed to Hagenau. It is not likely to be the case that the order of the two illustrations here is reversed, because the letter that the burgermasters and councilmen of Ravensburg wrote about this inquisition indicates that two of the accused there were burned, and these two can be equated with Agnes the Bathkeeper and Anna of Mindelheim, who are mentioned here (see 146A–D). If anyone among the accused at Ravensburg had hanged herself, this ought to been mentioned in the letter. (And the Walpurgis here is not to be confused with the woman of the same name mentioned in 136D, since the latter was apparently involved in the proceedings in Innsbruck.) Hence, the situation at Ravensburg is merely alluded to here without any specific example being cited.

the natural end with one that is caused,[102] in the manner already discussed.[103]

These acts and deeds of sorceresses can be explained briefly, first by citing the demon's cleverness in such matters. In *The Nature of Demons* [5], Augustine gives seven reasons why contingent events in the future can be conjectured in a likely manner (not that the demons can know
99D them as a certainty).|The first is that they have a strong natural subtlety with regards to the workings of their intellect, and for this reason they understand causes even without running around as is necessary in our case. The second is that they know more things than we do because of their experience with time and the revelations made by the spirits above. Hence, on the basis of Isidore [*Etymologies* 8.11.16], the Doctors quite often affirm that the demons have excellent knowledge through three sorts of acuity (subtlety of nature, experience of time, and revelations from the spirits above). The fourth[104] is their swiftness of movement, which results in their ability to foretell with miraculous swiftness in the west things that have happened in the east. The fifth is that since they can use their power to cause diseases, taint the breeze, and cause famine when God permits, they can likewise foretell these events. The sixth is that they can foretell a death more subtly through signs than a physician can by examining the urine and the pulse. For just as through signs the physician sees in a sick person certain things that the simple person does not notice, the demon sees things that no human sees naturally. The
100A seventh is that on the basis of signs that derive from the intent|of a human they conjecture the things that are or will be in the soul more cleverly than a wise man can. For they know what urges, and consequently what sort of works, are probably going to result. The eighth is that since they know the acts and writings of the prophets better than humans do, and many future events are determined by them, they can foretell many future events on this basis. (These matters are also discussed in 26, Q. 4, "*Sciendum*".) Hence, it is no wonder if a demon can know the natural length of a human's life. The situation is different, however, in the case

[102] The word translated by "caused" appears in the Latin as *casualis*, a word that means "by pure chance" (from it is borrowed the English "casual"). The sense demands "caused." (The emendation *causalem* would involve the inversion of only two letters, but apart from the fact that there is no reason for a copyist to change a more familiar form into a less common one, this word would properly mean "causative" rather than "caused."

[103] Presumably, the discussion of suicide (99A–B) is meant, though the phraseology recalls the discussion of the devil's knowledge of inner thoughts (51D).

[104] The enumeration has skipped point three and jumped to four, which results erroneously in eight points.

of a death that has been caused. Such a death is what happens through the burning to ashes that the demon brings about in the end, when, as has been said, he finds the sorceresses not to be voluntary and he is apprehensive about their return[105] and conversion, while others whom he knows to be voluntary he protects up to the time of their natural, as it were, death.

Let us give illustrations from either perspective that have been found or performed by us. In the diocese of Basel, a village situated above the Rhine called Oberweiler had a parish priest who was respectable in behavior but who held the view, or rather error, that there is no such thing as sorcery in the world, | but only in the opinion of humans, who 100B
ascribe effects of this kind to womenfolk.[106] God wished to cleanse him of his error in a way that would also reveal other activities on the part of demons in fixing a limit on sorceresses' lives in advance. When this priest wished to cross a bridge quickly to finish some business, he had an encounter with a certain old woman who was rude like him, and being unwilling to give way at the entryway to the bridge so that she could go first, he instead walked on rudely and accidentally knocked the old woman into the mud. Outraged at this, she burst out with insulting words, saying to him, "Father,[107] you will not cross unharmed." He did not pay much attention to the words, but that night when he wanted to get up from bed, he felt that he had been affected by sorcery below the belt. The result was that when he wanted to visit the church, other people always had to hold him up with their arms. He remained in this condition for three years, under the domestic care of his mother by the flesh. After these three years, when the old woman, whom he had always suspected | of inflicting the sorcery on him because of the insulting words 100C
with which she had threatened him, fell ill, it nonetheless happened that the sick woman sent for him to hear her confession. Though the priest rudely said she should confess to her master, the Devil, at the insistence of his mother he went to her home supported by the arms of two peasants. While he sat at the head of the bed in which the sorceress was lying, the two peasants wanted to hear from outside by the window – the

[105] I.e., to the church.

[106] This conception is suspiciously similar to the view ascribed by Aquinas to those who rejected the existence of sorcery (see 7D). It may well be that whatever views this priest may have had, they have been recast in terms of the arguments ascribed to the "opposition" in scholastic argumentation, and thus this presentation does not give us any insight into what the priest himself really thought.

[107] In this paragraph, "Father" represents *Pfaff*, a colloquial German title for a parish priest that is retained in the Latin text.

room was situated at ground level – whether she would confess to the sorcery inflicted on the parish priest. Then, it happened that although during confession she made no mention of the sorcery that had been inflicted, after finishing confession she said, "Father, do you know who affected you with sorcery?" When he answered politely that he did not, she replied, "You suspect me, and rightly so. You should know that I inflicted it on you" (for the reason mentioned above). When he pressed her to free him, she said, "Look, the appointed time is coming and I have to die, but I will arrange things so that you will be made healthy a few
100D days after my death." And so it turned out. | For she died according to the limit set by the demon, and one night within the next thirty days the priest found himself entirely healthy. The name of the priest is Father Heflin, who is now in the diocese of Strasburg.

Something similar happened in the village of Bühl near the town of Gübwiller in the diocese of Basel. There was a certain woman, who was arrested and eventually burned to ashes, and for six years this woman had an incubus demon, in fact right beside her husband as he slept in bed – three times a week (on Sunday, Thursday and Tuesday) and on other, more holy nights. She had done homage to the Devil with the provision that after seven years she would be dedicated to him forever in body and soul. Nonetheless, God arranged things piously. For when she was arrested and condemned to the flames in the sixth year, she made a full and genuine confession and is believed to have received forgiveness from God. For she was very voluntary in dying, claiming that although she could have been set free, she preferred death so long as she escaped the power of the demon.

[Note on Sources
Major identified sources for Ch. 2:
Nider, *Ant Hill* 5.3
*Praec.* 1.9]

## 101A ON THE METHOD BY WHICH THEY ARE TRANSFERRED IN LOCATION FROM PLACE TO PLACE

### Chapter Three

NOW THE TOPICS OF their ceremonies and of the procedures they use in their works must be taken up.

First, the works that they perform on themselves and their own persons. Since being transported bodily from place to place is one of their principal actions (as is engaging in filthy carnal acts with incubus demons), we will relate a few details about each of them, and first about their bodily transportation. Here it should be noted that, as was discussed quite often above, this transportation is subject to difficulty on the basis of a single passage of Scripture.[108] This is 26, Q. 5, "*Episcopi*," where it is stated from the Council of Acquira,[109] "It should not be overlooked, that certain criminal women, converting back to Satan and being led astray by the demons' illusions and fantastical images, believe and proclaim that during the nighttime hours, they ride on certain wild animals with Diana, a goddess of the pagans, or with Herodias and a countless multitude | of women, and pass over great stretches of land 101B during the silence of the dead of night, obeying her in all things as their mistress" and so on. "Wherefore the priests of God ought to preach to the congregation so that they know these things to be altogether false and that such fantastical images are inflicted on the minds of the faithful not by a divine but by an evil spirit. For it is Satan himself who turns himself into the appearances and resemblances of different persons, and by deluding in dreams the minds that he holds captive he takes them on journeys through all sorts of places off the beaten path," and so on. Illustrations to this effect are sometimes drawn in public sermons from the story of St. Germain[110] and a certain other man who kept watch on his daughter in connection with this matter,[111] as if it were altogether impossible for these things to happen. These illustrations are applied without distinction to sorceresses and their works, as if their individual works in harming humans, domestic animals and the fruits of the earth should not be applied to them on the grounds that they are deluded about causing such harm to creatures, in the same way that they are deluded in their fantasy in terms of being transported. | This view was 101C refuted as heretical in Question One on the grounds that it fights both against divine permission as it relates to the Devil's power, which can extend to greater, as it were, deeds, and likewise against the meaning of Holy Scripture. It is also heretical because in cutting off the ability to punish with the secular arm, it results in intolerable damage to the

[108] Note that contrary to modern English usage, the term "scripture" here refers not to the Bible but to a piece of later religious literature (in this case, the decision of a church council preserved in the canon law).

[109] See Pt. 1 n. 402.

[110] For this story, see n. 297.

[111] This allusion is not clear.

Holy Church, in that for many years now the sorceresses have remained unpunished as a result of this baneful view. As a result, their numbers have grown so enormously that it is now impossible to root them out. Therefore, the careful reader will consider the things that were set down there[112] to destroy this view, and for the present he will notice how they are transported and the ways that this is possible, along with the responses to the illustrations that are advanced by them.[113]

That they can be transported bodily is shown in various ways, first from other workings on the part of magicians. For if they were unable to be transported, this would be either because God did not give His permission or because the Devil was unable to do this in that he would be
101D fighting against creation. The first is not the case, because | while greater and lesser acts can certainly be done with God's permission, greater ones have very often been done in connection with both children and adults, provided that they are righteous and in a state of Grace. This is clearly so, since when they ask whether substitutions of children can be made by the work of demons and whether a demon is able to transport someone in location from place to place, even against his will, to the first they answer that they can. For William of Paris also says in the last part of *The Universe*, "Substitutions of children can be made, so that with God's permission the demon is able to act as the baby or to bring about his transportation. Such children are always miserable wailers, and although four or five mothers would barely suffice to nurse them, they never grow fat, but they are exceedingly heavy." (These matters should be neither affirmed nor denied to women because of the great fear that they could conceive. They should be instructed to ask the judgment of
102A learned men.) God gives His permission for this because of | the sins of the parents. For men sometimes curse their pregnant wives by saying, "I wish you were carrying the Devil" or similar words, and similarly irritable women often utter comparable words.

Very many illustrations can also be found about other humans, sometimes righteous ones. On the basis of a story from Peter Damian, Vincent relates in his *Mirror of History* (Bk. 26, Ch. 43 [actually, 25.63]) a story about the five-year-old son of a certain nobleman. At that age, the boy was made a monk and at night was taken from the monastery to a locked mill, where he was found in the morning. When questioned, he said that he had been brought by certain people to a great banquet and ordered to eat, and afterwards was put in the mill through the upper story.

[112] I.e., in Pt. 1, Q. 1 (7A–13D).
[113] I.e, the advocates of the erroneous view.

What of the magicians who are generally called nigromancers by us and are often carried through the air over far stretches of earth by demons? Sometimes, they also persuade others to do this and carry them with them on a nag. This is clearly not a real horse but a demon in such a form, and they exhort the riders not to speak or protect themselves with the Sign | of the Cross.[114] 102B

There are two of us writing this treatise, and one of us has very often seen and discovered such people. A man who was at that time a university student and is now a priest in the diocese of Freising and is thought to be still alive would often relate that he was once carried up bodily by a demon through the air and brought to distant parts. In Oberdorf, a town near Landshut,[115] there survives another priest, who was then a companion of that priest. This second priest saw him being carried up with his own eyes. With his arms stretched out, the man was transported up into the air, shouting but not wailing.

The reason, as the man himself reported, was as follows. When a large number of university students were having a banquet one day, the agreement they reached about the beer drinking was that the one who fetched the beer would not have to pay anything, and so when one of the drinking companions wanted to go fetch the beer and opened the door, he saw a thick fog in front of the door. Terrified at this, he went back, and in explaining the reason why he was unwilling to bring the drink, | he told them about it. In outrage, the one who was carried said, 102C "Even if the Devil were present, I am going to bring the drink," and leaving with these words, he was carried up through the air while all the others watched.

Certainly, it is necessary to admit that such things can happen not only to people who are awake but also to ones who are asleep, so they are bodily transported in location through the air while sleeping. This is also clearly the case with certain people who walk over roof tiles and very high

[114] This procedure actually belongs to the tradition of "clerical magic." The general practice is described in Johann Hartlieb's *Book of All Forbidden Arts, Lack of Faith and Sorcery* (*Buch aller verbotenen Kunst, Unglaubens und der Zauberei*, quoted in Hansen [1901], 130–131): "On traveling through the air. In the wicked, unholy nigromantic art, there is another madness that the people do with their horses of sorcery. They come to an old house, and whoever wants to sits on one and rides in a short time over very many miles. If he wants to get off, he pulls back on the reins, and if he wants to get back on, he shakes the reins and the horse returns. This horse is in truth the real devil." Spells nos. 9, 14 and 18 in the necromancer's handbook published by Kieckhefer (1999) give procedures for acquiring such horses; nos. 9 and 18 both mention the use of reins described in Hartlieb, and no. 18 advises against signing oneself, as stated in the *Malleus.*

[115] The name Ober(n)dorf is fairly common but at present there is no site by this name in the vicinity of Landshut.

buildings while sleeping. Nothing can block their passage up or down, and if bystanders address them by name, they immediately fall to the ground as if hurled. Many people think that these things clearly happen through the work of demons, and not without reason. For demons come in many different varieties. There are some who belong to the lower chorus[116] of angels and are tormented with minor penalties as if for small offences, in addition to the penalty of loss through damnation that they will suffer eternally. Such demons are unable to harm anyone,
102D at least not severely, but basically they just play jokes.|On the other hand, others are incubi or succubi, and these punish humans during nighttime or contaminate them with the sin of debauchery. Hence, it is no wonder if they also engage in these jests. The truth can be derived from the words of Cassian (*First Collation*) [7.32], where he says that there are as many unclean spirits as pursuits among men. This is corroborated without any doubt by the manifest fact that some of them, whom the common people call pagans but we call trolls (these are plentiful in the Kingdom of Norway) and faeries ("*Schretl*"), are misleading tricksters with the restriction that while they constantly haunt certain places and roads, they cannot harm passers-by in any way. Instead, they are content with derision and deception and strive to harass rather than harm them. On the other hand, some spend the night only in harmful visitations as incubi, while others are so given over to crazed savagery that they are not content with merely tormenting the bodies of those whom they have possessed with brutal torture, but also hasten to fall upon distant passers-
103A by and to afflict them with the most cruel murder.|Cassian means that they do not merely possess people, but inflict horrible torture, like the ones described in the Gospel (Matthew 8[:28–34]).

On the basis of these facts we can conclude, first, that one should not say that sorceresses are not transported in location on the grounds that God does not give His permission. For if He gives His permission concerning the righteous and innocent or concerning magicians and other lax people, how could He not do so concerning those who dedicate themselves entirely to the Devil? And (to speak in fear) did not the Devil raise up Our Savior, taking and setting Him here and there, as the Gospel testifies?[117]

Nor does the second proposition support our adversaries, as if the Devil could not do this. This is the Devil in whom, as was explained in

[116] For the elaborate hierarchy of angels (and demons), see n. 489; here "chorus" refers to the one of the various "orders" of angels.

[117] The temptation of Christ is described in Luke 4.

the foregoing, there is such natural virtue, surpassing all physical objects, that no earthly virtue can be compared to it according to the passage, "There is no power over the earth . . . " [Job 41:24]. Indeed, there is in Lucifer such natural power (virtue) that even among the good angels in heaven there is none greater than it. Since he surpasses all angels in natural gifts, and it was not the natural gifts that were diminished through the Fall | but only those relating to Grace, these gifts still remain 103B
in him, although darkened and hobbled. Hence, the gloss on the passage, "There is no power over the earth . . . " [Job 41:24]: "Even if he surpasses all things, he is nonetheless subordinate to the merits of the Saints."

Nor is it valid if someone raises two objections. First, that a man's soul can resist. Also, that the text seems to refer to only one in particular, that is, Lucifer, since it speaks in the singular, and while it was he who tempted Christ in the wilderness and led the first human astray, he is now banished, and the other angels do not possess such virtue, since he surpasses them all. Therefore, evil humans cannot bring about a transportation in location through the air.

These contentions are not valid. First, let us speak of the angels. The least angel incomparably surpasses every human virtue. Explanations can be given on very many grounds. First, spiritual virtue is stronger than bodily power in the same way that the virtue of an angel or of the soul is superior to the virtue of the body.

Second, in terms of the soul. Since every bodily form | is a form made 103C
into an individual one through matter and delimited by the here-and-now, as is now true of our soul, and since matterless forms are absolute and intellectual, which results in them having a virtue that is absolute and more universal, the embodied soul cannot so suddenly transport its body in location or raise it up, but with God's permission it would be able to do so readily, when disembodied.[118] A fortiori, a matterless spirit has all these powers in the way that an angel does, whether he is good or evil. For instance, a good angel transported Habakkuk in a second from Judea to Chaldea [Daniel 14:35].[119] For this reason it is concluded that those who are carried over tall buildings during sleep at night are

[118] In the Thomistic conception of the world, the "forms" are the abstract notions that define a given genus, and the individual members of that genus are "realized" when that "form" is imposed on "matter." The soul is thus the "form" that gives life to animate matter, in which case it is "embodied" in that living being, but it can also have a "disembodied" or "separate(d)" existence, in which case it is a spirit, like the angels (including the demons). Thus, the argument is that if it became disembodied, the soul would be able to move the body to which it would otherwise be attached. This is mere *petitio principii*.

[119] This chapter is an apocryphal text omitted in regular editions of the Bible.

carried along not by their own souls or as a result of the influences of the heavenly bodies but by some more excellent virtue, as was explained above.

Third, bodily nature was born to be moved directly by spiritual nature in terms of location, because movement in location is the first of movements (*Physics*, Bk. 8 [8.7]), and because it is the more perfect among
103D all | the bodily movements.[120] (This the Philosopher proves in the same passage on the grounds that what is moveable in location does not have a potential for some internal action, to the extent that it is such, but for some external action. From this it is concluded not so much by the Holy Doctors as by the philosophers[121] that the highest (supply "the heavenly") bodies are moved by disembodied spiritual essences that are good in terms of both nature and will.) Another reason is our seeing that it is the soul that first and fundamentally moves the body with a movement in location. Therefore, it is necessary to say that the condition of the human body, in terms either of the body or of the soul, cannot prevent either from being moved suddenly, with God's permission, from place to place by a spiritual essence that is good in terms of will and nature (since those who are good and in a state of Grace are transported) or good in terms of nature but not in terms of will (since the evil are transported). If someone wishes to, let him examine St. Thomas in *First Part*, Q. 110 throughout the three articles there, or in the *Questions On Evil* [16.10]
104A or also in the *Commentary on Pronouncements*, Bk. 2, | Dist. 7 (on the power of demons of making effects on bodies).

The method of transporting is as follows. As was explained in the foregoing, they have to make a paste from the limbs of children, especially those killed by them before Baptism, and by the demon's instructions they smear it on some seat or a piece of wood. When this has been done, they are immediately carried into the air, whether by day or night, and visibly or (if they wish) invisibly, according to whether the demon and a screen provided by some object are able to conceal a second object, as was explained in Part One[122] of the treatise, on the topic of the appearance of the works of demons brought about through conjuring. For the most part the demon uses the practice involving such paste for the purpose of depriving babies of the Grace of Baptism, but it has also been seen

[120] One must bear in mind that in scholastic jargon, "movement" means what is normally called "change" (in that change it is motivated or "set in motion" by an external agent), and things can be moved in quality and quantity, as well as in location.

[121] I.e., students of natural philosophy (see n. 39).

[122] 57A.

many times that he produces effects without them. This is in instances where they transported sorceresses by means of animals that were clearly not real animals but demons in the form of them, or in the instances where they are transported without any external help, and it is just the demon's virtue that does the work invisibly.

An event concerning visible transportation during the day took place 104B
in the town of Waldshut above the River Rhine in the diocese of Constance. A certain sorceress who was hated by the townsmen was not invited to the celebration of a wedding, but almost all the townsmen did attend. She was outraged, and thinking that she would avenge herself, she summoned a demon. She revealed the reason for her sadness and asked him to stir up a hail storm and to scatter everyone from the ring dance. When he agreed, he lifted her up and transported her through the air to a mountain near the town, in the sight of certain shepherds. As she later confessed, she lacked water to pour into a ditch (this is the method observed by them when they wish to stir up hailstorms, as will be explained),[123] so in place of water she urinated into the small ditch that she had made and after her fashion she stirred it up with a finger while the demon stood there. Suddenly raising this liquid up, the demon sent a violent, stone-sized hailstorm over just the dancing inhabitants of the town.[124] | They scattered because of this, and while they 104C
were discussing the cause of it with each other, the sorceress entered the town, which aggravated their suspicions. Furthermore, after the shepherds recounted the things that they had seen, this strong suspicion grew into a violent one.[125] Hence, she was arrested and confessed that she had committed these crimes because she had not been invited. She was then burned to ashes for this and for many other acts of sorcery committed by her.

Because general reports about transportations of this kind are constantly flying about among the common people, it would not be useful to insert more illustrations about them here to prove this. Let these alone suffice against those who either altogether deny bodily transportations of this kind or endeavor to assert that they happen only in the imagination or fantasy. If their error were restricted to them, it would not matter, indeed it would not even be worthy of notice, so long as their error did not tend toward insult to the Faith.

[123] Ch. 15 (144C–147A).
[124] For this method, see 146C; cf. 132A with n. 292.
[125] "Strong" and "violent" are technical terms describing the grounds for conviction in the inquisitorial procedure; see 221A–222D.

Be it noted, however, that they are not content with this error and do not hesitate to insert and disseminate others, with the result that the sorceresses increase in numbers and the Faith suffers damage. They
104D claim that | all acts of sorcery, which are justly ascribed in a real and true sense to the sorceresses as the tools of the demons, should be ascribed to them as people who do no harm since these are merely matters relating to an illusion in the imagination, just as such transportation is a figment of fantasy. For this reason, sorceresses have very often remained unpunished, which results in great insult to the Creator and in the very serious increase of their numbers at the present time. But not even the arguments ascribed to them at the beginning can lend support to this claim. First, when they cite the Chapter "*Episcopi*" (26, Q. 5), where it is stated that they are transported only in fantasy and imagination, who is so unintelligent that he would conclude that they cannot also be transported bodily? For who could, on the basis of the end of that chapter where it is stated that he who believes that a human can be changed for better or worse or turned into another appearance should be considered worse than a faithless person or pagan, conclude that humans could not be transformed into beasts through the illusion of conjuring,
105A or changed from health to illness as if from better to worse? | A person who would have such problems with the surface meaning of the words of the Canon would clearly give a pronouncement contrary to the understanding of all the Holy Doctors, indeed contrary to the sense of Holy Scripture.

On the basis of these facts the opposite is apparent in many ways, as has been explained in previous statements in many passages in Part One of the treatise. It is necessary, therefore, to pay attention to the pith of the words in accordance with the discussion in Part One of the treatise (in connection with the solution to the second error among the three that are refuted there),[126] where preachers are enjoined to preach four things to the congregation. The sorceresses are transported both in body and in fantasy according to what is made clear on the basis of their confessions, not so much of those who have been burned to ashes as of those who have returned to the Faith and penitence. One of these was in the town of Breisach, and when asked whether they are able to be transported in fantasy and imagination or in body, she answered that they can in both ways. For if by chance they did not wish to be transported
105B bodily but still wished to know everything that | was being done by their

[126] IIA.

associates at that gathering, then the method followed by them was that in the name of all the devils she would place herself on her left side propped up by her elbow, then there would come forth from her mouth something like a kind of grey steam, which would allow her to observe clearly the individual activities going on there. But if she wished to be transported in body, it would be necessary to follow the method discussed above.[127]

Also, in the case of that Canon being understood straightforwardly without any explanation, who is so stupid that he would on these grounds affirm that all the acts of sorcery and harm committed by sorcerers are figments of fantasy and imagination, when the opposite is clear to everyone's senses, especially when there are quite a few varieties of superstition (fourteen), and among these the one comprising sorceresses holds the highest level in terms of acts of sorcery ["evil doing"] and harm, and the variety comprising pythonesses, to which those who are carried in fantasy can be ascribed, holds the lowest level?[128]

Finally, the illustrations from the *Life* | *of St. Germain*[129] or any others 105C
likewise do not lend them support, since it was clearly possible for the demons to set themselves alongside their husbands as they slept, as if the women were sleeping with their husbands, during the intervening period of time when the search for the wives was being conducted.[130] Out of respect for the Saint, however, it is not asserted that this happened, but this proposition is laid out so that no one will believe that the opposite of what is laid out in the *Life* is impossible.[131] As for any other objections, by similar reasoning the response can be given that in the writings of the Holy Doctors many sorceresses are found to have been transported in body, just as some are found to have done so only in fantasy. If someone wishes to consult Thomas of Brabant in his book *Bees*, he will find wondrous accounts of the transportation of humans, both in imagination and in body.

[127] 104A.
[128] See Pt. 1, Q. 16 (77D–80A).
[129] For this story, see n. 297. It is clear from a statement later in this paragraph that the reference here is to a written version of the saint's life.
[130] Presumably this explanation is generated by the anecdote told in 100D.
[131] More *petitio principii*. What is said in the legend is not denied but it is claimed that this cannot be used as evidence against the advocated position, because the opposite of what the legend says (i.e., the advocated position) is possible. But the whole point of the objection is to deny that position, which is in fact subverted by the legend, so one can hardly deny the evidence against that position by asserting, on the basis of that position, that contrary evidence *could* be explained otherwise, even though by one's own admission it is not to be explained that way. For further ambivalent treatment of this legend, see 133A.

[Note on Sources
Major identified sources for Ch. 3:
Aq., *On Evil* 16.10.1
*Sent.* 2.7.3.1
*Summa* 1.19.11, 12
Nider, *Ant Hill.* 5.3
*Praec.* 1.11.13]

THERE FOLLOWS A DISCUSSION OF THE METHOD BY WHICH THEY SUBORDINATE THEMSELVES TO INCUBUS DEMONS

Chapter Four

105D AS FOR THE WAY in which sorceresses subordinate themselves to incubus demons, six topics should be examined.[132] Some are from the point of view of the demon and the body assumed by him: the element from which it is formed. Second, from the point of view of the act: whether it is always carried out with the infusion of a seed received from someone else. Third, from the point of view of the time and place: whether the demon acts at one time rather than another. Fourth, whether he acts visibly from the point of view of the woman, and whether only those women who are begotten from filthy acts of this kind are visited regularly by demons.[133] Fifth, whether those women who are offered by midwives to the demons at the time of birth are so visited. Sixth, whether the sexual pleasure is lesser or greater in such women.

First,[134] regarding the material and quality of the assumed body, it should be said that he assumes a body made of air and that it is made of

[132] This discussion of the following topics was promised almost verbatim in 39D–40A. For some reason the fourth and fifth topics in the earlier version are conflated into the fourth here, which reduces the total from seven to only six (see next note). In addition, the division of the material into questions dealing with the demons (one to three), the bystanders (four) and the women (five to seven) is likewise abandoned.

[133] In the version of this section in 39D, the fourth question here is said to relate to bystanders, whereas the following question about whether demons visit only the daughters begotten by demons is the first of the section about examining issues relating to women. Here for some reason the transitional reference to the topic of women is transferred to the fourth topic and the mention of bystanders suppressed altogether (the punctuation and capitalization of the two passages leaves no doubt as to where the transitional phrase about women belongs, i.e., with the fifth question in the earlier passage and the fourth in the second). This conflation of the earlier two questions is apparently intentional, since the numbering of the next two topics is accordingly reduced by one.

[134] I.e., the first topic just laid out in 105D.

earth in some way inasmuch as it has the characteristic of earth through a process of thickening. This is explained as follows.

Air | is in its own right capable of being formed into an effigy only in 106A
terms of being formed into the effigy of some other body in which it is enclosed, and hence it is by no means delineated by its own boundaries but only by those of the other body. Also, one part of the air is contiguous with the next. Therefore, a demon cannot straightforwardly, so to speak, assume a body made of air.[135] (It should be noted that air is especially capable of being transformed and changed into anything at all, a sign of which is the fact that when certain men have endeavored to cut or pierce a body assumed by a demon with a sword, they were unable to achieve this because when air is divided, the parts immediately become continuous again.)[136] Thus, it is clear that in its own right air is a quite suitable material. Because it cannot be formed into an effigy unless something earthy is added in, it is necessary for this air to be condensed in some way and made to approximate to the characteristic of earth, provided, however, that the true quality of the air is preserved. Demons and disembodied souls can bring about this thickening by gathering them together and making them into an effigy by means of dense vapors raised up from the earth by moving them in location. The demons remain in them only as movers and not as if they were informing it | by pouring 106B
life into that bodily in a formal manner, since that is how life flows from the soul to the associated body.[137] In the bodies assumed and formed into effigies in this way they are like a sailor in a ship that he has moved.

Hence, when it is asked what sort of body is assumed by a demon in terms of material, it should be said that it is one thing to speak in terms of the beginning of the act of assuming and another to speak of its end, because in terms of the beginning it is air, but in terms of the end it is thickened air approximating to the characteristic of earth.[138]

With God's permission demons have all these powers by nature. For spiritual nature is superior to bodily nature, and for this reason the bodily nature must obey it. This is understood in terms of movement in location but not in terms of the act of assuming natural forms, both incidental and substantial, except in the case of certain small creatures,

[135] Aquinas himself rejects this reasoning (*Sent.* 2.8.1.3.Ag4)!
[136] Cf. 111A.
[137] For the sense of this, see n. 118.
[138] It was a very typical characteristic of Aristotle's thought to describe a phenomenon in terms of its beginning (origin), development and end (purpose). The *Malleus* itself is artificially organized by this principle (2B), and here too this conception is applied in a mechanical (and literal) way, as if the formal scheme by itself were an explanation.

and then with the help of some other agent, as was discussed above.[139]
106C No form is set | through movement in location in the thing that has been moved. Hence, they can move it as they wish along with other circumstances.[140]

If, on the basis of these facts, someone raises the incidental question of what pronouncement should be given when a good or bad angel practices certain actions of life through real, natural bodies and not ones made of air (for instance when an angel spoke through the ass of Balaam[141] or the occasions when demons act in possessed bodies), it should be said that those bodies are said to be not assumed but occupied. The words of the Doctor in the *Commentary on Pronouncements*, Bk. 2, Dist. 8 ("Whether angels assume bodies") [2.8.12] should be examined.

But let us stick to the issue at hand. Demons can, in assumed bodies, speak with sorceresses, see them, hear them, eat with them and beget with them. With regard to how these activities should be understood – this is the second part of this first difficulty – as for the first it should be said that for true speech three things are needed. The first necessity is the lungs plus the inhaling of air, which serves the purpose not only of giving voice but also of cooling the heart, which is why even the mute need to inhale. Second, it is necessary for the speech to be formed out of the knocking of the body on the air. This is the same as the way
106D that | when someone knocks a stick on the air or a bell, he makes a large or small sound. For when material capable of producing sound in its own right is knocked with a tool capable of producing sound, a sound is created according to the size of the body. This sound is then received in the air and reproduced as far as the ears of the listener (if he is far off, it must reach him after an interval, it seems). Third, voice is needed, and it can be said that what is called sound in the case of bodies without a soul is called voice in the case of bodies with a soul. In the latter, it is the tongue that knocks the air, which has been inhaled and let out again, in an instrument and vessel cast by God and naturally alive, which is not the case with a bell. Accordingly, what is called sound in the latter instance is called voice in the former. An illustration of this third necessity can be given through the second, as is obvious. (I have

[139] See 61D–62A.

[140] The point is that God alone is conceived of as setting the "form" on the bodies of living things on earth (with the exception of frogs and the like, which Aristotle thought capable of "spontaneous generation"), so the demons cannot "move" a creature by changing its "form," that is, by changing it in terms of the "species" ("appearance") to which it belongs, but they can "move" it in location.

[141] See n. 21.

set down these statements so that preachers will have a way to inform the congregation.) Fourth, it is necessary for someone who is forming his voice to wish to express the conception of his mind to someone else by word.[142] For this reason, he organizes his voice, that is, marks it off in the mouth one word after another by knocking the teeth with the tongue, | by opening and closing the mouth with the lips, by releasing 107A to the air that is outside the air that has been knocked in the mouth, and by increasing the sound in this way one word after another, right up to the ears of the listener, who then understands the conception of his mind.

As for the issue at hand. Demons lack lungs and tongue, but by art they can create and show a tongue, as well as teeth and lips, according to condition of the body. Hence, they cannot truly talk in their own right, but since they have understanding,[143] when they wish to express the understanding of their mind, it is not vocal expressions but sounds with a certain similarity to vocal expressions that they use. They knock air that has not been drawn in through inhaling, as in the case of humans, but has been held within an assumed body, and then they release it in an articulate way to the air outside up to the ears of the listener.[144] That something resembling a voice can be made with air that has been drawn in by a process other than inhalation is shown by certain non-breathing animals, which are said to give voice, and by certain other instruments, as the Philosopher says in *The Soul*, Bk. 2 [2.8]. For when the herring is taken out of the water, it suddenly lets out a vocal sound | and dies. (These 107B statements, as well as those that follow down through the topic of the force of procreation, can be used, though not with reference to the good angels.) If someone wishes to speculate further on the talking of demons in possessed bodies, in which case they use the bodily instruments of the real, possessed body in that they slide into it (this being understood to mean within the bounds of the mass of the body and not within the bounds of the essence of the body or soul),[145] make a distinction between

[142] Since this fourth requirement is really just a specification of the second, perhaps it has been added by a later adapter to the three requirements laid out at the beginning of the paragraph.

[143] Another untranslatable play on words, the Latin word *intellectus* signifying both "understanding" in the general sense and the mind's "intellect" in particular.

[144] The distinction here seems to be formal rather than substantive. The demons in assumed bodies actually produce language in the same way that people are supposed to, but it is different in that a proper tongue and lungs are not used to inhale the air and strike it. If demons are thought to be able to "fashion" fake bodies out of air, it is hard to see why logically they should not be able to form a tongue and lungs too. Presumably, this ability is denied to them in order to reserve for God the exclusive right to create "life."

[145] Cf. the parallel discussion in 51B.

substance on the one hand and mass or incidental quality on the other. But discussing these matters has nothing to do with the issue at hand. If someone wishes to, let him examine St. Thomas in the *Commentary on Pronouncements*, Bk. 2, Dist. 8, Art. 5 [actually, 2.8.1.5].

Next, as for how they see and hear, it should be said that there are two kinds of vision, spiritual and bodily, the first infinitely surpassing the second, both because it penetrates and because it is not impeded by distance in accordance with the ability of the light that is serving them. Therefore, it should be said that an angel, whether good or bad, in no way sees through the eyes of the assumed body, nor does anything
107C bodily | serve him in the way that he is served in talking by the air and the knocking of the air to produce sound and reproduce it right up to the ears of the listener. Hence, their eyes are painted eyes.

They readily show themselves to humans in these likenesses, in order to make manifest to them spiritually through works of this kind characteristics that humans naturally possess (seeing, hearing and speaking). It is for this reason that by God's ordination and with His permission holy angels often appeared to the Fathers. They manifest themselves to evil humans so that when the humans recognize their characteristics, they will join them as their partners, in instances of guilt here and in penalties elsewhere.[146] Hence, Dionysius says at the end of *Heavenly Hierarchy* [15.3], "From all the parts of the human body the angel teaches how to consider his own characteristics."

In conclusion, since bodily vision is a working of a living body through a bodily organ, things that the demons lack, they have likenesses of these workings in assumed bodies in the same way they have likenesses of the
107D limbs. We can speak similarly of a demon's hearing, which is | much nobler than that of the body, because he can recognize the conception of the mind and the speaking of the soul more subtly than a human can recognize by hearing the conception of the mind that is expressed through bodily words (see St. Thomas in the *Commentary on Pronouncements*, Bk. 2, Dist. 8).[147] For if a human's secret will is read in his facial expression and the emotions of the soul are recognized by physicians from the movement of the heart and from the quality of the pulse, a fortiori they can be recognized by the demons.

As for eating, let us say that the entire process of eating signifies four elements: dividing the food up in the mouth, passing it into the body,

[146] "Here" is on earth, "elsewhere" is in hell.

[147] 2.7.2.1 discusses the superiority of demonic cognition, but it seems that 2.8.1.4, the discussion of demons' use of assumed organs, is meant.

the virtue of the body to digest it and, fourth, transforming the necessary nutrients and expelling what is left over. In assumed bodies, every angel carries out the first two by eating, but is not capable of the third and fourth. In place of the virtue of digestion and evacuation, he possesses a power by which food is immediately broken up into the previously existing matter. In Christ there was true eating in all respects, since He had the power of nourishment and conversion, though He did not convert it into His own body, since those virtues were, like His body, glorified, and as a result the food was instantly broken up in His body, | 108A as happens when someone throws water onto a fire.

### *How sorceresses practice carnal acts with incubus demons in the present day, and how they are increased in number as a result of these acts*

As for carnal acts (the main topic),[148] which the demons practice with sorceresses as incubi in assumed bodies, there is no underlying difficulty as a result of the foregoing, unless perchance someone doubts whether present-day sorceresses engage in filthy acts of this kind and whether the sorcerers derive their origin from these filthy acts.

In response to these two doubts, let us say with reference to the first that whatever was the case with earlier sorceresses before the year of the Lord's Incarnation 1400 or so, whether, that is, they served in these filthy acts in the way that present-day sorceresses have done since that time, this is not known, because the historical record nowhere discusses | what 108B experience has now taught us.[149] No-one who leafs through histories can doubt that like incubus and succubus demons, sorcerers have always existed, and that from their depraved works very many forms of harm to humans, domestic animals and the fruits of the earth have resulted, since for many centuries the traditions of the Canons and of the Holy Doctors have been handing down to posterity very many accounts about them, although there is a difference in that in the past demons harassed womenfolk against their will, as Nider in his *Ant Hill* and Thomas of Brabant in his *Universal Good* (or *Bees*) relate with many accounts.[150] As for the present proposition, which asserts that present-day sorceresses

[148] I.e., in the scheme for this chapter laid out in 105D, the main topic is the sexual union of sorceresses and demons, and this topic is now beginning after the preliminary question of the nature of the assumed body used in the procedure by demons.

[149] It is significant that no evidence for the "satanic" conception of sorcery is known prior to the fifteenth century.

[150] It is not clear what specific sections are meant; perhaps the end of *Ant Hill* 5.10, which discusses the sexual harassment of women by demons and cites Thomas of Brabant.

are tainted with filthy acts of the Devil of this sort, it is not so much our pronouncement that advocates this as the testimony of experience given by the sorceresses themselves, who have rendered all these things believable, no longer subordinating themselves to a wretched form of slavery against their will, as has hitherto been the case, but doing so of their own accord for physical pleasure, (a most foul thing). For whatever
108C the number of | sorceresses who were turned over to the secular arm by us for punishment in various dioceses, especially in the town of Ravensburg in the diocese of Constance, they clung to these filthy acts for many years, some for twenty years, some for twelve or thirty, and always with a renunciation of the Faith in whole or in part.[151] All the inhabitants of that city can bear witness, and apart from those who secretly repented and returned to the Faith, no less than forty-eight were handed over to the flames in five years.[152] The faith placed in the latter was not so great as the credence accorded to those who returned of their own accord for penance, but all agreed that they had to engage in filthy acts of this kind to increase this breach of the Faith. (These events will be treated one at a time in Part Two of the work, where their particular works will be described.)[153] Not to mention the deeds carried out in the county of Bormio by our associate, the inquisitor of Como![154] In the space of a single year (1485) he had forty-one sorceresses burned up, and they all
108D publicly asserted | that they had clung to those filthy acts of the Devil. Therefore, belief in all of this is based upon either our own experience or the reports of trustworthy witnesses.

As for the second topic,[155] in which a difficulty is raised as to whether the sorcerers derived their origin from these filthy acts, let us say in accord with Augustine, that it is clearly true that all superstitious arts derived their origin from the baneful alliance of humans and demons. This is what he says in *The Christian Doctrine*, Bk. 1 [2.19–21] (it is contained in 26, Q. 2, [*Decretum* 2.26.2. 6§5]): "All arts of this kind, whether belonging to a silly form of superstition or a harmful one based

[151] Presumably, Agnes Baderin and Anna of Mindelheim, the two women burned at Ravensburg, are meant (see 145D–147A). Agnes admitted to sexual relations with a demon for "more than eighteen years" (146B), and Anna is said to have "had the incubus demon for more than twenty years" (146D)

[152] This total seemingly refers to the entire diocese of Constance, and the years in question are presumably 1482 to 1486.

[153] This reference within the text of Pt. II to a later discussion "in Part Two" provides evidence that the present discussion of the details of women's subordination to demons has been moved from its original location in Pt. I.

[154] For the identification of this man, see Pt. I n. 439.

[155] As laid out in 105D.

on some baneful alliance of humans and demons, should be altogether repudiated as agreements made for the sake of a faithless and deceitful form of friendship." This being noted, it is manifest that they have different sorts of agreements, in the same way that there are different varieties of superstition (magical art), and since the variety comprising sorcerers is the worst among the fourteen varieties of that art, because it is based not on an implied but an explicit agreement and because they must in addition render adoration to the demons through a renunciation of the Faith, in consorting with the demons | they retain the worst form 109A of alliance in accordance with the condition of women, who are always delighted by vanities. In addition, when it is noted that according to the teaching of St. Thomas in the *Commentary on Pronouncements*, Bk. 2, Dist. 4, Art. 4, in solution to an argument [actually, 2.8.1.4b.SC3] in which he asks whether those begotten of such demons in the ways discussed above possess greater virtue than do other humans, he says that this is true not only on the basis of the text of Scripture ("These are the powerful men from the world . . . " and so on [Gen. 6:4]), but also on the grounds that demons can know, first, the virtue of the released seed from the disposition of the man by whom it was released, second, the proportionate[156] nature of the women in terms of receiving that seed, and, third, the configuration of stars that assists that bodily effect. From his words, we can also add a fourth thing they know: the fact that the person thus begotten has an excellent temperament[157] for effects proportionate to him. From all these facts, which cohere on this point, it is concluded that those begotten in this way are strong and large in body.

Therefore, as for the issue at hand, when it is asked whether sorcerers derived their origin from these filthy acts, let us say the following. They clearly derived their origin from a baneful mutual alliance, as | 109B was explained on the basis of the first noteworthy point, while on the basis of the second noteworthy point no one can deny that they derived their increase in number from these filthy acts, since demons engage in those acts not for the sake of pleasure but for the sake of corrupting.[158]

[156] The term "proportionate" is based on the idea that there are various levels of suitability, and for one element to interact with another, they must both occupy the same "level," in which case they are described as "proportionate," that is, "commensurate" with one another.

[157] See Pt. 1 n. 550.

[158] The two "noteworthy points" are the quotations of Augustine and Aquinas. "Noteworthy point" (*notabile*) is a technical term of scholastic discussion that does not appear elsewhere in the *Malleus* and presumably goes back to an unknown intermediate source.

The arrangement will, therefore, be the following. The succubus demon releases a seed from a criminal man; if the demon is assigned personally to this man and does not wish to make himself the incubus for the sorceress, he will hand the seed over to the demon assigned to the woman (sorceress), and the second one will make himself an incubus for the sorceress under a certain configuration of stars that serves his purpose, so that the man or woman begotten will remain mighty in physical strength for the purpose of performing acts of sorcery. No obstacle is provided by the fact that those of whom the text speaks were not "sorcerers" but only "giants and famous and powerful men," because, as was stated above, acts of sorcery were not committed in the time of the Law of Nature[159] (because of the recent memory of the creation of the world), and as a result no place for idolatry was possible. Now, on the other hand, when the evil of men grows, the Devil finds a greater opportunity for spreading
109C this kind of lack of faith. | But when it is stated that they were "famous men," these terms cannot be understood as the good that is virtue.

### *Whether the incubus demon always releases a seed when he accosts[160] the sorceress*

As for the topic,[161] in which it is asked whether he always pours in a seed and so on, it is responded that since he has a thousand ways and arts of harming, inasmuch as since his downfall he has striven to split the unity of the Church and to overturn the human race in every way (16, Q. 2 [*Decretum* 2.16.2.1]), no infallible rule can be given about them. It is, however, possible to give a plausible distinction, and this is whether or not the sorceress is aged and barren. If so, then he certainly accosts her without the release of a seed, since it would be pointless, and in his works the demon avoids what is redundant to the extent that he
109D can just as nature does.[162] Even if the sorceress is not barren, | he still accosts her[163] for the purpose of causing pleasure from her point of view. If, on the other hand, she is disposed for impregnation, then if he can, under the appropriate circumstances, get a seed that has been released by a man, he does not hesitate to accost her with it in order to taint the progeny.

[159] I.e., the period before the introduction of the "Old Law" described in the Old Testament (see. Pt. 1 n. 236).
[160] Clearly, the term is meant here as a euphemism for "visit for the purpose of having sex."
[161] I.e., the second half of the second topic laid out in 105D.
[162] Cf. 21D, 25A.
[163] I.e., an old woman.

If someone asks whether he can in this way collect seed emitted through night-time pollution[164] in the same way that he collects a seed released through the carnal act, a plausible explanation that can be given as a response is that he cannot, though some people think the opposite. They note that demons wait for the procreative virtue of the seed, as has been discussed before,[165] and this force in the seed is poured forth and preserved to a greater degree through the carnal act, and that seed that has been emitted through night-time pollution is extracted only from redundant humor, and is extracted with less procreative force. They therefore believe that the demon would not be likely to act with such a seed for the purpose of begetting progeny, unless he happened to understand that this force was present in it. In addition, we cannot altogether deny that when a married sorceress is impregnated by her husband, | 110A the incubus demon can taint the conception through mixing in another man's seed.

*Whether at one time rather than another, and similarly about the place*

As for the topic[166] as to whether he[167] observes specific times and places, it should be said that, in addition to an observance of specific times in terms of the configurations of stars that he observes when he works with the intention of tainting of progeny, he also observes certain times when the intention of his action is not to taint but to bring about sexual pleasure from the point of view of the sorceress. These are the more sacred times of the year, like the solemn rites of Christ's Nativity, Easter, Pentecost and the other Holy Days. They do this for three reasons. The first is that in this way the sorcerers will incur not only the vice of breach of the Faith with their apostasy from the Faith but also that of sacrilege, things in which the demons delight. The result will be that the Creator will be more offended and the sorcerers will be more severely condemned in their souls. The second reason is that since God is more severely offended in this way, He will grant them a greater power to act with savagery against humans and to punish them, even the innocent, either in their possessions or bodies. | The passage, "The son shall not 110B carry the iniquity of the father" and so on [Ezekiel 18:20] is understood in terms of eternal punishment, but with reference to temporal punishment

[164] I.e., so-called "nocturnal emission," that is, an ejaculation during sleep.
[165] 24B, 25A.
[166] I.e., the third one laid out in 105D.
[167] I.e., the demon.

the innocent are very often punished with affliction because of other people's deeds. Hence, in another passage God shouts, "I am a strong and jealous God, visiting the sins of the parents onto the third and fourth generations" [Exodus 20:5]. Such punishment was clearly the case when the sons of the Sodomites were overwhelmed because of their parents' crimes. The third reason is their intention to make more people fall by providing a greater opportunity. This is especially the case with young women, who are the more easily led astray by old women sorceresses on Holy Days, since they indulge more in leisure and novel forms of amusement. An example of this happened in the land of the birth of one of the two inquisitors composing this work.[168] A certain young woman who was a devout maiden was importuned by an old woman to go upstairs with her to a room, because there were some very handsome young men in it. After she agreed, they went up together with the old woman leading the way. She enjoined the young woman not to protect herself with the Sign of the Cross, and although she agreed, she secretly
110C did protect herself with it. | The result of this was that when the maiden went up, she did not see anyone, because the demons there were unable to show their presence in assumed bodies to the maiden. With a curse the old woman said to the maiden, "Get out in the name of the devils! Why did you cross yourself?" These events I gathered from the pure confession of that maiden.

A fourth reason can also be added, and this is that in this way they may more easily lead astray humans, because when they consider that such acts are permitted by God to happen at more sacred times, they do not think them as serious as they would if the demons were unable to perform them at those times.

As for place. With regard to the question of whether they perform their acts more in certain places, it should be said that on the basis of the words and deeds of the sorceresses it is agreed that they cannot practice those filthy acts in Holy Places at all, and in this regard one can assess how effectively the angels guard such a place because of their reverence for it. What is more, the sorceresses assert that they can never have peace except during Divine Service when they are present in church. For this reason, they enter more quickly and depart more slowly,[169] although they must,

[168] This story is told in 94A–B, where it is located in Strasburg. Since Institoris was born in Schlettstadt, a nearby town, he must be the source of the story.

[169] This is a convenient explanation for why certain supposed sorceresses apparently act with notable piety. Hence, not only can irreverence mark out someone as a sorceress but so can devout behavior!

by the demons' instructions, observe certain other awful ceremonial rites, | like spitting on the ground at the time of the Elevation,[170] or uttering 110D most unspeakable thoughts with or without words, like "I wish you were in such-and-such or such-or-such place."[171] (This will be discussed presently in Part Two.)[172]

### *Whether visibly both from the point of view of the sorceress and in terms of the by-standers*

As for the topic[173] as to whether they perform filthy acts of this kind with each other visibly or invisibly, it should be said, as far as experience[174] has taught us, that although the incubus demon always works visibly from the point of view of the sorceress (it is not necessary for him to approach her invisibly because of the ratified and explicit agreement), in terms of the bystanders it is frequently the case that the sorceresses were seen lying on their backs in fields or woods, naked above the navel and gesticulating with their forearms and thighs. They keep their limbs in an arrangement suitable for that filthy act, | while the 111A incubus demons work with them invisibly in terms of the bystanders, although at the end of the act a very black vapor would (very rarely) rise up from the sorceress into the air up to the height of a human.

With reference to the basis on which the infamous Contriver of a Thousand Deceits[175] knows how to entice or change the circumstances of young women or the minds of other humans, there will be an explanation in Part Two of these events and of how such acts were performed in many places (both in the town of Ravensburg and in the lands ruled by the Von Roppelstein[176] noblemen and certain other lands).

In addition, it is certain that it has happened that the husbands visibly perceived the incubus demons performing such acts with their wives, though they thought them to be not demons but men. When they seized

[170] I.e., of the host.
[171] Presumably, this refers to wishing that someone were in hell or the like.
[172] This reference within the text of Pt. 2 to a later discussion "in Part Two" provides evidence that the present discussion of the details of women's subordination to demons has been moved from its original location in Pt. 1.
[173] I.e., the fourth one laid out in 105D.
[174] Presumably other people's!
[175] I.e., the Devil.
[176] Never mentioned elsewhere in the text (conceivably this story is one in which "considerations of charity" have led to the suppression of the names). They had their residence at Rappolsweiler (modern Ribeauville) to the southwest of Schlettstadt, and their territory is now known as Haut-Ribeaupierre in France.

their weapons and attempted to stab them, the demons suddenly disappeared by making themselves invisible. Then, the women would hold up their hands and arms in defense, and although they had sometimes been harmed,[177] they would make fun of their husbands, asking in rebuke if they had eyes or if they were possessed by demons.

III*B* *That incubus demons harass not merely women begotten from their filthy acts or those offered up by midwives but any women at all without distinction, with greater or lesser sexual pleasure*[178]

Final conclusion.[178] It can be said that the incubus demons are not merely aggressive towards women begotten from their filthy acts or towards those offered to them by midwives, but with their whole effort they hanker after all the holiest virgins of a given[179] land or town, having the sorceresses lead them astray or couple them together. This is what experience, which is the instructor of facts, has taught, in that certain women who were burned up in the town of Ravensburg asserted before final sentence something like this, that their masters had enjoined them to strive with their entire effort to overthrow the holy virgins and widows.

Regarding the question of whether the sexual pleasure is greater or lesser with incubus demons in an assumed body than with men in a
III*C* real body, if all things are equal, it seems that it must be said | that although the natural order gives less excuse for this since it is greater when like plays with like, nonetheless when the infamous Contriver of a Thousand Deceits[180] joins appropriate active elements with appropriate passive ones (appropriate in qualities like heat or some temperament, though not in nature), he clearly rouses no lesser feeling of lust. (In what follows there will be a broader explanation of this in terms of the condition of the female sex.)[181]

[Note on Sources
Major identified sources for Ch. 4:
Aq., *Sent.* 2.8.1.2, 3, 4, 5]

[177] Presumably, by their demonic paramours.
[178] This section lumps together the second half of the fourth topic with the fifth and sixth laid out in 105D. Since the treatment here is rather cursory, perhaps the author has tired of the subject.
[179] The Latin clearly says "of that (*illius*) land or territory," but the context seems to demand a generality.
[180] I.e., the Devil.
[181] There is no subsequent material to which this reference could be pointing, and the subject matter ("the condition of women") which it seems most naturally to signify is Pt. 1, Q. 6 (40A–45B). This seemingly false reference may fit in with the idea that material in Ch. 4 was shifted from Pt. 1.

## THE GENERAL WAY IN WHICH SORCERESSES PRACTICE THEIR ACTS OF SORCERY THROUGH THE SACRAMENTS OF THE CHURCH AND ON THE WAY IN WHICH THEY IMPEDE THE FORCE OF PROCREATION OR PRODUCE ANY OTHER DEFECTS IN ANY CREATIONS, EXCEPT FOR THE HEAVENLY BODIES

### Chapter Five

AS FOR HOW THEY taint other creatures of either sex and the fruits of the earth, several things should be noted with regard to the methods by which they act: first, how they do so to humans, second, to animals, and third to the fruits of the earth.[182] With reference to a human, the first topic is how they impede the force of procreation (the sexual act) with acts of sorcery, | intending to prevent the woman from conceiving 111D
or the man from carrying out the act.[183] The second is how this act is sometimes impeded in respect to one woman but not another. The third is how male members are taken away as if they have been altogether torn out of the body. The fourth is how to distinguish if any of the preceding events happen through the power of a demon inflicting it by himself and not through a sorceress. The fifth is how sorceresses transform humans of either sex into beasts through the art of conjuring. The sixth is how midwife sorceresses kill fetuses in the mother's womb in various ways, and how they offer the babies to the demons when they do not kill the fetuses.

To make sure that these statements are not considered unbelievable, decisions about them were reached in Part One of the work through the

[182] These are the second, third and fourth topics laid out in 86A–B.

[183] The following outline is actually a much better description of Qs. 8–11 of Pt. 1, where Q. 8 (52C–55D) deals with impeding procreation (=topic one here), incidental doubt of Q. 8 treats why a man is sometimes affected with respect to one woman and not another (=topic two), Q. 9 (56A–59B) treats removal of the penis (=topic three), incidental doubt of Q. 9 (58B–D) discusses how to distinguish a removal through sorcery from one caused by a demon (though the heading indicates that the question should be distinguishing sorcery from natural defect) (=topic four), Q. 10 (59B–63C) treats turning men into beasts (=topic five), and Q. 11 (63D–64B) treats the murder of fetuses by midwives (=topic six). The subsequent material here in Part Two is similar, but diverges notably. Ch. 6 (114A–115A) corresponds to topic one, Ch. 7 (115A–118D) to topic three, a paragraph of Ch. 7 (with a direct allusion to Pt. 1) treats the matter of distinguishing the removal of the penis by a demon alone from removal carried out by a sorceress (118C–D), which corresponds to topic four, and Ch. 8 (118D–121A) corresponds to topic five. Topic two is not mentioned in Pt. II at all, and miscarriages caused by midwives are treated incidentally in Ch. 6 and in a separate discussion much later in Ch. 13 (137A–141D). The explanation of all this is presumably that the introduction here was originally placed in Pt. 1 and later transferred (without modification) along with material in Ch. 4, but the subsequent material in Pt. 1 was treated in a somewhat different manner from the corresponding material that follows here.

questions and solutions to the arguments, and if necessary the doubtful reader can return to them to track down the truth.[184] For the present,
112A only deeds and events that were discovered by us | or that were narrated by others in writing are to be described as a public indication of the revulsion felt for so great a crime. The intention is that if perchance the preceding questions are difficult for someone to understand, he may take faith from the things that are related in the present Part Two and recoil from the error by which he held the view that there was no sorceress in the world or that no acts of sorcery could happen.

Hence, it should first be noted that they can harm humans in six ways apart from the ways in which they harm other creatures. The first is the one in which they inflict evil love for a woman on some man or for a man on some woman. The next is the one in which they cause hatred or envy to grow in someone. The third concerns the men who are said to be affected by sorcery so that they are unable to use the force of procreation with a woman or conversely when women are kept from conceiving from the man or are made to miscarry in other ways, as was discussed above.[185] The fourth is when they make a person ail in some limb. The fifth is when they deprive him of life. The sixth is when they take away the use of reason. At the same time, it is necessary to admit that in connection
112B with every kind of thing, with the exception of the heavenly bodies, | they can, as a result of natural virtue, inflict true defects and true forms of illness, though not true forms of health (as a result of the powerful natural and spiritual virtue by which they surpass every bodily virtue). Since no illness (or natural defect when an illness is lacking) corresponds to another, their procedures for the various illnesses and defects clearly involve different methods. Regarding these methods let us adduce a few examples to the extent demanded by necessity.

Before this, however, to prevent the mind of the reader from remaining in suspense as to why they can make no change in the heavenly

[184] It is not self-evident which statements it is that are considered potentially unbelievable. In 64A the assertion that sorceresses eat babies is said to be virtually unbelievable were it not for their corroboration in Nider's writings, which might suggest that the similar killing of fetuses is what is meant here. In 46A, however, it is stated that the unbelievability of sorceresses' turning men's minds to love or hate is to be countered through a discussion in the form of a question, so, given the reference to multiple questions and solutions to arguments here, the reference presumably includes all the matters discussed in Qs. 8–11 in Pt. 1.

In terms of the issue of whether the immediately preceding outline of topics has been transferred from Pt. 1, it should be noted that the present sentence is introduced rather clumsily with *et* ("and"), and its relevance to what precedes is by no means clear, which may suggest that it was tagged on to the transferred outline.

[185] I.e., in the preceding paragraph?

bodies, let us say that there are three different reasons for this. First, the heavenly bodies are above the demons in terms of the place of their penalty as well, since this place is the misty air (assigned to them because of their job; see above, Question Two[186] in Part One of the treatise, which concerns incubus and succubus demons).[187] The second reason is that the heavenly bodies are moved by good angels (see many passages on the movers of the spheres, especially Thomas | in *Prima Pars* Q. 110).[188] 112C
(In this, the philosophers are in agreement with the theologians.) The third reason is the governance and common good of the universe, which would be lessened in a general sense if evil spirits were permitted to cause changes in the heavenly bodies. Hence, the changes made miraculously by God in the Old and New Testaments were carried out by the movers of the heavenly bodies (good angels). Such was the case with the stopping of the sun under Joshua [Joshua 10:13], its reversal of course under Hezekiah [2 Kings 20:11], and its unnatural darkening during the Passion of Christ [Matthew 27:45]. Since that time, the demons have been able, with God's permission, to practice their acts of sorcery in connection with all the elements and all the things composed of those elements, both by themselves without sorceresses and with sorceresses, and in fact they do not cease to do so, as will be explained.

Second, it should be noted that in all the methods of making an effect through sorcery, for the most part they always instruct the sorceresses to create the devices for their evil will through the Sacraments or Sacramentals[189] of the Church or through divine objects (those consecrated to God). For instance, they place a wax image temporarily under the Altar | 112D
or draw a string through the Holy Oil or use anything consecrated. They do this for three reasons, which are just like the reasons that they usually practice their acts of sorcery at the more holy times of the year, especially around the time of the Advent of the Lord and the Festival of the Nativity. The first is that people should not simply become breakers of the Faith thereby but should also become sacrilegious by contaminating divine objects to the extent that they can. In this way they will further

[186] Presumably Q. 4 is meant (29B–C; cf. 25A, 27B).

[187] The "misty air" is the area intervening between the earth and spheres on which the heavenly bodies are carried, and in medieval cosmology this was the place where the fallen angels dwelt; see 27B, 29B–C.

[188] If this is the question alluded to (the Latin text is doubtful), Aquinas hints at the movement of the spheres (see Pt. 1 n. 278) by the angels but does not directly discuss it.

[189] "Sacramental" is the ecclesiastical technical term for an observance that was not strictly numbered among the seven formal sacraments (baptism, confirmation, communion, confession, marriage, holy orders, extreme unction) but was considered analogous to them, for instance, the use of holy water and making the sign of the cross.

offend God, their Creator, condemn the sorceresses' own souls more profoundly, and make more people fall into sin. The second reason is to make God severely offended by men, so that He will leave the demon greater power to act with savagery against men. For Gregory[190] says that in anger God sometimes grants to evil men what they desire and pray for, while in propitiousness He denies these same things to others. The third reason is that in this way he[191] may, in the guise of an apparent good thing, more easily deceive simple people when the acts mentioned above lead them to think that with the divine objects they have received some sort of divine power from God, whereas it is merely the case that greater sins have been committed.

A fourth reason can be added with regard to the more holy times of the
113A year and its beginning. | Because festivals are ruined more by mortal sins than by works involving the hands[192] according to Augustine in the *Book on the Ten Chords* [*Sermo* 9.3] ("Superstition concerning the demons' very servile works violates reverence to God, as do acts of sorcery"),[193] he makes humans fall deeper, as has been said, and the Creator is more offended. Regarding the beginning of the year, we can say in accordance with Isidore (*Etymologies*, Bk. 8, Ch. 2 [see 5.33.3]) that Janus, after whom was named the month of January (which also begins on the Day of the Circumcision),[194] was an idol made with different faces, one representing the end of the preceding year, the other the beginning of the following one, and in order that he should protect the coming year and make it well fortuned, the pagans would, as a form of reverence for him (or rather for the demon), make various wanton disturbances, give each other New Year's presents and jests, perform various dances, and prepare feasts. St. Augustine mentions these things in many passages, and they are recounted in various questions throughout virtually the whole of 26 [*Decretum*, 2.26.7.16]. In the present day, evil Christians imitate these
113B corrupt practices, | although in terms of debauchery they have transferred these acts to Carnival, when they run around with costumes, games and other superstitions.[195] Similarly, as a result of the demons' persuading,

[190] The source (Nider) actually attributes this to Augustine.

[191] I.e., the Devil.

[192] I.e., physical labor.

[193] This clause is an (ungrammatical) addition to the quotation given in the source (Nider).

[194] According to Luke 2:21, Christ was circumcised on the eighth day after his birth, and therefore since the birth was dated to December 25, the Feast of the Circumcision was celebrated on January 1.

[195] Carnival is the term for the revelry that precedes the solemnity of Lent. Church moralists were prone to censure the frolicking that people engaged in before the fasting and gloom that characterized Lent.

in terms of worship during Divine Office[196] sorceresses too now practice their acts of sorcery around the beginning of the year (for instance, the feast of St. Andrew and the festivities of Christmas) in order to please the demons.

Now with regard in particular to how they perform such acts, first through the Sacraments and then through Sacramentals, let us relate some events that happened recently and were discovered by us through inquisition. There is a town that it would not be helpful to name, since considerations of charity and reason order and urge this. Here, a sorceress took the Body of the Lord,[197] and with a quick lowering of her head, as is the loathsome practice of women, she put her veil to her mouth and pushed the Body of the Lord out into the piece of cloth, wrapping it up. She placed it (by the Devil's instructions) in a jar in which there was a toad and hid it in the ground in a barn near the granary of her house, along with very many other objects that she had added by which she was able to practice her acts of sorcery. | Through the assistance of God's 113C
piety, however, such a great crime was revealed and came to the light of day. For the next day, when a hired hand was making his way near the barn to reach his job, he heard a voice, seemingly of a child wailing. The closer he got to reaching the flooring under which the jar was hidden, the more clearly he heard it, and thinking that a baby had been buried by a woman, he went to the *Schultheiss* (the local magistrate) and related the event, which had been committed, in his estimation, by a parricide. When servants[198] were quickly dispatched, the situation was found to be just as the man had related. They were unwilling to dig up the child,[199] but instead devised a sensible plan (not knowing that the Body of the Lord was hidden there). They placed guards at a distance and had them wait in case a woman approached. Hence it happened that while these men kept watch secretly, the sorceress came to the place and hid the jar under her outer garment. She was then arrested, and when exposed to questioning under torture, she revealed the crime. She claimed that the Body of the Lord had been hidden in the jar with the toad | so that from 113D
the dust[200] she could inflict her injuries on humans or other creatures as she wished.[201]

[196] I.e., the mass.
[197] I.e., the consecrated host used in communion.
[198] I.e., men employed by the magistrate.
[199] An odd reaction.
[200] I.e., what was left over after the decomposition of the contents.
[201] While one may be dubious about the wailing of the host, it is conceivable that the woman did steal the host for magical (though not necessarily evil) purposes. As later medieval notions

In addition, it should be noted that when sorceresses taking Communion observe the custom of taking the Body of the Lord under and not above the tongue if they can manage this without being noticed, they do this for the following reasons, as can be guessed. The first is so that they will never wish to receive a remedy for the renunciation of the Faith, either through Confession or through receiving the Sacrament of the Eucharist. The second is to make it easier for the Body of the Lord to be taken from the mouth to be used for the sorceresses' purposes, as has been stated, which results in greater offence to the Creator. Hence, the rectors of all churches and those who give Communion to the congregation are enjoined that they should always take the greatest care to ensure that women take communion with the mouth very wide open, the tongue properly stuck out and the veil pulled back. The greater the care taken, the greater the number of sorceresses noticed in this way.

Regarding Sacramental objects, they practice countless superstitions. Sometimes they place wax images, sometimes aromatic ones, under the
114A altar cloth, | as has been discussed,[202] and then hide them under the threshold of a house, so that the person for whom it has been placed will be affected by sorcery through passing by. Countless examples could be cited, but the lesser acts of sorcery are proven by the greater ones.

[Note on Sources
Major identified sources for Ch. 5:
Nider, *Praec.* 1.11.19, 20]

## THE METHOD BY WHICH THEY IMPEDE THE FORCE OF PROCREATION

### Chapter Six

REGARDING THE METHOD BY which they impede the act of procreation both in humans and in domestic animals of both sexes, the reader can inform himself from the discussion above in the question[203] as to whether demons are able to turn the minds of humans to love or hatred. There, after the solutions to the arguments, a specific explanation is

of piety increasingly attributed divine power to the consecrated host, people did undertake to make off with it for their own purposes (for the reverence and abuse of the host, see Hsia [1988], 9–11). Once the crime was discovered, the use of torture turned it into something rather more sinister.

[202] 112C–D.

[203] Pt. 1, Q. 7 (46A–52B).

given regarding the methods by they are able to impede the force of procreation with God's permission.[204] In this regard it should be noted that such an impediment is carried out in two ways, from within and from without. It is done from within in two ways. In the first, they directly suppress the hardness of the member appropriate for propagation (this should not be viewed as impossible, since in other ways they are able to impede the natural motion in any limb). | In the second, they prevent 114B
the sending of spirits to the limbs in which the power of motion resides, by cutting off the seed's paths, as it were, so that it cannot descend to the vessels of procreation or be separated out or sent forth. Externally, they sometimes cause this through images or as the result of eating plants, sometimes through other external objects, like the testicles of roosters or the eating of plants.[205]

It should not be believed that a man is rendered impotent through the virtue of these things. Instead, with the demons' hidden virtue, which makes an illusion, the sorceresses can affect the force of procreation with sorcery by means of such things, preventing a man from being able to couple or a woman from being able to conceive. The reason for this is that God gives permission more in connection with this act, which is the one through which the first sin is spread, than with other human acts. This is also the case with snakes, which are more useful for incantations than are other animals, and as a result it has frequently been found by us and other inquisitors that they used snakes and snakeskins to inflict such impediments. A certain sorcerer under arrest | confessed that over many 114C
years he had used sorcery to inflict barrenness on the inhabitants of a certain house, affecting both the humans and the domestic animals. In addition, Nider (cited above) reports that a certain sorcerer by the name of Stadlin was captured in the diocese of Lausanne and he confessed that in a certain house, where a man and wife were living together, with his acts of sorcery he had killed seven babies one after the other in the womb of the man's wife. This resulted in the woman always having miscarriages over the course of many years. He did a similar thing to all the pregnant herding and domestic animals in the same house, none of them bringing forth a live birth during those same years. When the sorcerer was questioned under torture as to how he had caused such

[204] Actually, this "explanation" is Q. 8 (52C–55D).

[205] The source (Nider) merely referred to the use of "beans and the testicles of roosters." This twofold specification of external and internal use is a typical scholastic elaboration, and its author seems not to have been able to decide whether plants fall in the internal or the external category.

things and in what way he could be guilty, he revealed the crime, saying, "Underneath the threshold of the door to the house I placed a snake, and if it is removed, fertility will be restored to the inhabitants." And it turned out just as he had foretold. For although the snake was not found, having been reduced to dust, nonetheless they completely carried
114D off the earth, and in the same year fertility was restored to the wife and | all the domestic animals.

Another deed happened in Reichshofen a few years ago (barely four). A certain sorceress was very notorious for knowing how to affect with sorcery and how to cause a miscarriage by touch alone at any hour. At this time, the wife of a certain powerful man was pregnant and, having taken to herself a certain midwife for protection, she was advised by this midwife not to leave the castle and in particular to avoid conversing and interacting with that sorceress. A few weeks later, she disregarded this advice and left the castle to visit some women who were gathered at a banquet. After she had sat there for a little while, the sorceress showed up. When the sorceress touched the lady on the belly with both hands as if in greeting, the woman suddenly felt the child moving with pain. In terror, she fled back home from there, and when she told the midwife what had happened, the midwife cried out, "Oh, no! You have now lost your child!"
115A And it turned out in the birth as the midwife predicted. | The woman gave birth not to an intact miscarriage but to pieces: now the head, now the feet and hands. Clearly this was a great chastisement caused by God's permission in order to punish him, that is, the husband. For he ought to punish such sorceresses and avenge their insults to the Creator.[206]

In the town of Meersburg in the diocese of Constance, there was a certain young man who was affected by sorcery to such an extent that he was not able to carry out the carnal act except with one woman. In the hearing of many he related that it was very often the case that when he tried to reject her and to take flight and live in other lands, sometimes during the night-time he would get up and return quickly with the swiftest running, now over the earth, now through the air as if flying.[207]

[Note on Sources
Major identified sources for Ch. 6:
Nider, *Ant Hill* 5.3, 5]

[206] Presumably, this man had in some way obstructed Institoris in an inquisition.
[207] This man sounds more like someone whose attraction to this woman was at variance with some other consideration.

THE WAY IN WHICH THEY TAKE AWAY MALE MEMBERS

## Chapter Seven

IN ADDITION, LET US cite a few illustrations to show that they take away male members, not, of course, by stripping human bodies of them in reality | but by concealing them with the art of conjuring, as was 115B explained above in the question previously mentioned.[208]

In the town of Ravensburg a certain young man was attached to a young woman, and when he wished to set her aside, he lost his male member, clearly though the art of conjuring, with the result that he could not see or feel his body as anything but smooth.[209] Being worried, he then went to a certain cellar to buy some wine, and while he was sitting there for a while, another woman showed up and he revealed to her the reason for his sadness, relating the details and showing that he was so in body. Being clever, she asked whether he considered any woman suspect. When he specified her identity, mentioning her name and relating what had happened, the woman said, "When benevolence does you no good, it would be best to prevail upon her with violence in order to regain your health." At dusk, the young man watched the path where the sorceress would regularly pass by. After finding her, he pleaded with her to return to him the health of his body, but she claimed that she | was innocent and knew nothing. He then attacked her and, tying a 115C handkerchief tight around her throat, he pulled it taut, saying, "Unless you restore my health to me, you will die at my hands." Then, because she could not shout and her swollen face was now turning black, she said, "Release me and I will make you healthy." When the young man loosened the knot (noose), the sorceress touched him with her hand between the thighs (hips), saying, "You now have what you want." And, as he would later recount, before he assured himself with sight or touch, the young man noticeably felt that the member had been restored to him, just by the touch of the sorceress.

A certain venerable father, who belonged to the convent[210] at Speyer and is well known in the Order for his respectable way of life and knowledge, often tells a similar story. "One day," he says, "when I was

[208] The most recent citation is at the start of Ch. 6 (114A), where Pt. 1, Q. 7 is mentioned and Q. 8 implied. In fact, the reference here is to Q. 9 (56A–59B).

[209] I.e., the skin at the groin is perceived as being flat, without the protuberance of the male reproductive organs.

[210] I.e., of Dominican friars.

engaged in hearing confessions, a certain young man showed up, and in his confession he claimed sorrowfully that he had lost his male member.
115D I was astonished and did not wish to believe his words lightly, | since the man who believes lightly is judged to be fickle-minded by the wise man.[211] So, I discovered the truth through experience, perceiving nothing by sight when the young man removed his clothes and showed me the place. Then, I came up with a sensible plan and asked whether he considered any woman suspect. The young man said that he did, but she was away, living in Worms. Then I said, 'Here are my instructions for you. Approach her as soon as possible and strive, to best of your abilities, to soften her with promises and enticing words,' which is what he did do. A few days later he returned to thank me, claiming that he had regained every thing. I believed his words, though I was once more made certain through visual experience."

At this point, a few things should be noted for a clearer understanding of the previous discussion of this topic. First, it should in no way be believed that such members are torn out of or separated from the body. Instead, they are hidden by the demon through the art of conjuring, so that they can be neither seen nor touched. This is shown by authority
116A and reason | (this was discussed above).[212] Alexander of Hales (*Part Two*) [2/1.2.3.2.3.3.3.Solutio] says: "Properly speaking, conjuring is an illusion of the demon. This has no cause from the point of view of a change in the thing but only from the point of view of the perceiver, who is deceived, in terms of either the internal or the external senses of perception." In connection with these words, it should be noted that in this instance the illusion is played on the two external senses (sight and touch), and not on the internal ones (the common sense, fantasy, the force of imagination, that of estimation, and memory). (St. Thomas posits only four, as was stated above,[213] because he posits a single force of fantasy and imagination, and rightly so. For there is little difference between using the imagination and the fantasy (Thomas in *First Part*, Question 79 [*Summa* 1.79.4.Co.])). It is these senses, and not merely the external ones, that are changed, since nothing is hidden or revealed, either in wakefulness or sleeping. This happens during wakefulness when a thing seems different from what it really is. For example, when someone
116B sees another person eating a horse with its rider or | considering in his estimation that a human has been turned into a wild animal or that he

[211] The last clause is a reference to Ezechiel 19:4.
[212] Pt. 1, Q. 9 (56A–59B).
[213] 48A.

himself is a wild animal and ought to walk with wild animals.[214] In that case, it is the external senses that are deceived by the internal ones, which take possession of them. For the virtue of the demons brings out pictures derived from the senses of perception that have long been stored in the storehouse of such pictures. This is the memory, and not that faculty of the intellect in which pictures of the intellect are kept. For it is the memory that preserves pictures derived from the sense of perception, and it is in the front part of the head. Sometimes, with God's permission, these pictures are brought out by the virtue of the demons to the common sense and the faculty of imagination, and are so strongly impressed on them that, since he necessarily has to imagine a horse or wild animal through the violent act by which the demon brings out of the memory the picture of a horse or wild beast, he necessarily has to consider in his estimation that with his external eyes he is seeing just such a horse or a wild animal. In this case, though, there is no wild beast outside him, but there seems to be one because of the violent working of the demon, these pictures acting as intermediaries. Nor should it seem a wonder that the demons have this power, since | nature, even when defective, has 116C
it. This is clearly the case with the frenetic people, melancholy people, maniacs and certain drunks who do not have the power of discernment. The frenetic think that they have seen wondrous things and are seeing wild beasts and other horrible things, though nothing is happening in reality. (See above on the question[215] of whether sorceresses are able to turn the minds of humans to love or hatred, where many observations are made.)

There is a self-evident explanation. Since the demon has a certain power over certain lower[216] things, with the exception only of the soul, he is also able, when God allows, to make certain changes in these things, so that things appear different from what they are. As has been said, he does this either by throwing into confusion or playing an illusion on the organ of sight, so that a clear thing seems cloudy (for example, after crying the light seems different from before because of the gathered humors) or by working on the force of imagination through a transformation of the pictures derived from the senses of perception, as has been said, or by setting various humors in motion, so that things that are earthy or dry | seem fiery or watery. For instance, certain people cause all those in 116D

[214] Cf. the anecdote in 63B of the man who thought he was a wolf.
[215] Pt. 1, Q. 7 (46A–52B).
[216] I.e., lower than the "misty air," where the demons reside (see n. 187).

a dwelling place to take off their clothes and strip because they think that they are swimming in water.

If, in connection with the method discussed above, a further question is raised about whether illusions of this kind can happen to the good and evil without distinction, just as other bodily illnesses can, as will be explained below,[217] be inflicted by sorceresses even on those in a State of Grace, it should be said in accordance with the words of Cassian (*Second Conference*, *about Abbot Serenus*) [8.18] that they cannot. Hence, all those who have illusions played on them in this way are presumed to be in a state of mortal sin. For Cassian says, "From the words of Anthony it is clear that a demon cannot in any way assail someone's mind or body or have any ability to rush upon anyone's soul unless he first makes it bereft of all holy thoughts and renders it empty of spiritual contemplation and naked." This agrees with what Philosophy states to Boethius in *Consolation*, Bk. 1: "I had bestowed upon you such arms
117A that | if you had not first cast them aside, they would be protecting you with unvanquished steadfastness." Next, Cassian mentions in the same passage two pagan sorcerers who, differing in evil, used acts of sorcery to send demons one after the other to the cell of St. Anthony. The purpose was that these demons were to drive him from there with temptations. For the two pagans were poisoned with hatred for the holy man because a multitude of people would gather by him every day. Although these demons buffeted Anthony with the bitterest goads consisting of thoughts, he always repelled them by pressing the Sign of the Cross into his forehead and chest and by constantly engaging in prayer. Thus, we can say that in the absence of other bodily illnesses, all those who have such tricks played upon them by demons clearly fail to have divine Grace dwelling in them. Hence the passage, "As for those who are devoted to lust, in this the Devil receives power"[218] (Tobias 6[:17]). The discussion in Part One[219] of the treatise on the question of whether sorceresses work on humans by transforming them into wild beasts is in agreement with this. There, a young woman was changed into
117B a horse in her estimation and in that of everyone | who saw her.[220] The only exception was St. Macharius, on whose senses the Devil was unable to play illusions. When she was brought to him for healing, he saw the real woman and not a horse, while conversely everyone else shouted that

[217] 117D.

[218] This quotation is a misquotation of the source (Nider), which reads, "Over those who are devoted to lust the Devil receives power;" this in turn is a paraphrase of the Biblical passage.

[219] Q. 10 (59B–62D).

[220] 61A.

she seemed a horse to them. With his prayers the holy man freed her and the others from this illusion, asserting[221] that this had happened to her because she was not devoted to Divine Service, nor did she frequently attend the Sacraments (Confession and the Eucharist), as she should have. For this reason, although out of her sense of respectability she rejected the young man who had importuned her about a base act, the Jewish sorcerer[222] whom the young man solicited to affect the young woman with sorcery had turned her into a horse through the virtue of a demon.

In summation, let us conclude that the good can be harmed by demons and their adherents in the good things of fortune (external things such as temporal goods, reputation and bodily health) in order to test the good and win them merit, as was clearly the case with the saintly Job, who was harmed in such things by the demon, | and that although the good can be 117C
tempted in the flesh from the inside and from the outside, the demons cannot either actively or passively impose such illusions of the fantasy on the good against their will, just as people cannot be drawn or forced to any sin through acts of sorcery. When the demons do this actively, they have to impose the illusion on their senses of perception, as is the case with those not in a State of Charity,[223] and when they do this passively, they have to take away their limbs through the illusion of conjuring. The devil would never have been able to inflict these two sorts of harm on the saintly Job, especially not the passive one involving the sexual act, since Job was so self-restrained that he could say, "I have made an agreement with my eyes not even to think about a maiden" [Job 31:1] (and a fortiori about someone else's woman), though it is recognized from the words of the Gospel of Luke 11[:21] ("When a brave man guards his courtyard in arms, all the things that he possesses are in peace") that the demon has great power over sinners.

If, on the basis of these statements, someone grants, with reference to illusions involving the male member, that a demon could not inflict an illusion in a passive way on someone in the state of Grace, but asks | 117D
whether a demon could do so in an active way, that is, so that an illusion in his vision would be inflicted upon the person in the state of Grace in that he would see the member attached, though the one who considers in his estimation that it has been taken away from him would not see

[221] Actually, in the source (Nider) this was the woman's assertion.
[222] Jews were frequently associated with sorcery in medieval Christian thought.
[223] Here, the word "charity" seems to be little more than a synonym for "grace," though strictly speaking it is a separate notion (see n. 495).

it attached nor would the bystanders,[224] which, if it is conceded, seems to contradict the foregoing, it can be said that there is less force in the active loss than there is in the passive loss (understanding "active" not in terms of the one who inflicted it actively but in terms of the one who sees the loss from outside, as is self-evident), and therefore, although the person in the state of Grace could see someone else's loss, and in connection with this other person the demon could play an illusion on his senses, the demon could not passively inflict on him this sort of loss (being deprived of his member), since he is not devoted to lust. To the contrary, "As for those who serve lust, the demon receives power," as the angel says to Tobias.

As for what pronouncement should be made about those sorceresses who sometimes keep large numbers of these members (twenty or thirty
118A at once) in a bird's nest or in some cabinet, where | the members move as if alive or eat a stalk or fodder, as many have seen and the general report relates, it should be said that these things are all carried out through the Devil's working and illusion. In this case, an illusion is played on the viewers' senses of perception in the ways discussed above. A certain man reported that when he had lost his member and gone to a certain sorceress to regain his well-being, she told the sick man that he should climb a certain tree and granted that he could take whichever one he wanted from the nest, in which there were very many members. When he tried to take a particular large one, the sorceress said, "You shouldn't take that one," adding that it belonged to one of the parish priests.[225] The pronouncement is that all this clearly happened through an illusion of conjuring carried out by demons in the ways mentioned above, the demons throwing the organ of sight into confusion by shifting pictures of perception to the faculty of imagination. It should not be claimed that in members assumed in this way there are demons showing themselves, in the way that in assumed bodies made from air they appear to sorceresses
118B | and sometimes to other humans, and interact with them. The reason is that they can do these things in an easier way, that is, by internally moving in location the pictures derived from the senses of perception from the faculty of preservation (faculty of memory) to that of imagining.

[224] The sense seems to be that while the demon cannot make the holy person imagine that his member has been removed, he can make others imagine this of the holy person. Apparently, "vision" here means not his own ability to see but how he is seen by others.

[225] Clearly, this story is nothing more than a joke (in the romance languages words meaning "bird" are frequently euphemisms for the penis) about the lechery of parish priests, who often kept illegitimate "wives" in violation of their ostensible celibacy and begot children. To take such a tale at face value shows the author's credulity (and lack of a sense of humor).

If someone should say that they could do so in a way similar to the situations when it is stated that they interact with sorceresses or other humans in assumed bodies, that is, that they would make such apparitions by changing the pictures of perception in the faculty of imagination, so that, while the humans thought that the demons were present in assumed bodies, there would be only such changes of the pictures of perception in the internal faculties, it should be said that if the demon wished to show nothing grander than the mere presence of a human effigy, then there would certainly be no need for him to appear in an assumed body, since he could achieve this well enough through the change mentioned above. As it is, because he has grander activities to carry out (for example, speaking, eating|and also engaging in filthy acts), 118C
it is necessary that he should in fact be present, actually offering himself to the vision from the outside in an assumed body, since according to the Doctors the virtue of an angel is in the place where he is working.

In connection with the question in which it is asked whether, in a situation where the demon has taken away the male member from someone by himself without a sorceress, there is any difference between one removal and the other, several things can be said, in addition to the discussion in Part One[226] of the treatise on the question of whether sorceresses are able to take away male members. First, in a situation where he has taken away a member by himself, he would really and truly take it away and would really and truly restore it whenever he has to restore it. Second, he would not take it way without pain, just as he would not do so without harm. Third, he would never do this unless forced to by a good angel, because in that case he would have to cut off the material for his own profit. For he knows how to practice more acts of sorcery on that act than on the other human acts, just as God also gives more permission for him to affect that act than the other human acts with sorcery, as|was discussed above.[227] All these circumstances are 118D
irrelevant in a situation where he works through sorceresses with God's permission.

If there is a doubt as to whether the demon has a greater desire to harm humans and creatures by himself than through sorceresses, it can be said that there is no comparison. For his desire to harm through sorceresses is infinitely greater, first because in that case he inflicts a greater insult on God by usurping a creature dedicated to Him; second, because when God is more offended, more power to harm humans is

[226] Q. 9 (56A–59B).
[227] 45C.

granted to him; and third, for the sake of his own profit, which he reckons in the damnation of souls.

[Note on Sources
Major identified sources for Ch. 7:
Nider, *Ant Hill* 5.5
*Praec.* I.II.II, 18]

## THE METHODS BY WHICH THEY CHANGE HUMANS INTO THE SHAPES OF WILD BEASTS

### Chapter Eight

IN ADDITION, THE FACT that sorceresses change humans into the forms of wild beasts through the virtue of demons, who are the fundamental workers of these transformations, has been sufficiently explained in Part One of the work, in the question[228] discussing whether sorcer-
119A esses are able to bring about such things, | but because that question with its arguments and solutions may seem to some excessively obscure, especially since deeds and events regarding these matters were not cited and because the method by which the sorceresses transform themselves was not described, it is necessary to add the present explanation by means of solutions to many doubtful points.

The first is that this well-known Canon (26, Q. 5, "*Episcopi*") is not to be understood with reference to this topic in the bare way in which even a fair number of learned men – would that they were properly learned! – are deceived, as are those who do not hesitate to claim publicly in their sermons that these sorts of transformations carried out through conjuring can in no way happen, even by the virtue of demons. (This clearly results in great damage to the Faith, as has often been mentioned, and in the encouragement of the sorceresses, who in fact greatly rejoice at such sermons.)

This happens to these preachers because they busy themselves with the surface and not the marrow of the Canon's words. For when it says,
119B "Whoever believes | that some creature can be made or changed for the better or for the worst or transformed into another variety or into another likeness, except by the Creator Himself, Who made all things, is without a doubt an infidel," at this point the pious reader should pay attention

[228] Q. 10 (59C–63C).

to two fundamental points, the first concerning the word "be made," and the second concerning the words "turned into another likeness." Regarding the first passage, let his mind be resolved that "be made" is understood in two ways: as "created" and as "through the natural production of some thing." To do so in the first way is appropriate, as is known, for God alone, since with His unlimited power He can create something from nothing. With reference to doing so in the second way, a distinction should be made in terms of creatures, since they are either perfect creatures, like man, donkey and so on, or imperfect ones like snakes, frogs, mice and so on, which are called imperfect because they can also be generated from the process of rotting. The Canon always speaks of the first group and not the second, which can be explained on the grounds that when Albert asks in his book *Animals*[229] whether demons can make real | animals, he answers that they can, but only 119C
in terms of imperfect animals. He also makes the distinction that the demon does not work in an instant, the way that God does, but with a movement, however sudden, as is clearly the case with sorceresses (Exodus 7[:11]). If you please, see some statements in the question cited in Part One of the work in the solution to the first argument.[230]

Regarding the second passage, in which it is mentioned that they cannot change any creature, you should say that there are two kinds of change, either in substance or in an incidental trait, and that in turn there are two varieties of the latter in that such a change is caused either by a form[231] that is natural and inherent to the thing that is seen or by a form that is not inherent to the thing that is seen but inherent to the organs and faculties of the viewer. It is the first sort that the Canon speaks of, especially a change in form or quality.[232] This is the way that one substance is changed into another, the kind of change that only God, who is the creator of all such qualities, can make.

The Canon also speaks of the second change. It is true that a demon can bring that one about to the extent that, through illnesses inflicted with divine permission, | some incidental form is produced in the body, 119D
for instance when a face appears to have leprosy or the like, but we are speaking specifically not of such matters but of an apparition caused by conjuring. In this sort of apparition, things seem to be changed into

[229] Ultimate source unknown.
[230] 62A–B.
[231] For the sense, see n. 118.
[232] "Quality" translates the Latin *quiditas* or "what-ness," a scholastic neologism for the "essence" or "substance" of something (which answers the question "what is the thing?"). Here the term refers to the quality that results from the action of the form on the physical matter.

other likenesses. Hence, we say that the Canon (chapter cited) cannot exclude these changes because they are derived by authority, reason and experience, as well as from the events that Augustine relates as proofs of experience (*City of God*, Bk. 18, Ch. 17). These facts are also explained in various questions.

Among other transformations caused by conjuring, Augustine reports that Circe, a most notorious female magician, turned the companions of Ulysses into wild beasts, and that certain tavern girls turned their customers into beasts of burden.[233] He also reports that the companions of Diomedes were turned into birds and that for a long time afterwards they flew around the temple of Diomedes, and that Praestantius related
120A truthfully about his father that the father | said that he had been a common horse and hauled grain with other animals.

As for the first story (that the companions of Ulysses were turned into wild beasts), in this case certainly it was merely an appearance that deceived the eyes, so that the form of a beast was brought forth from the repository of pictures (the memory) to the force of imagination. The result was both that an imaginary vision was brought into being, and that, consequently, the strong impression made on the other faculties and organs caused the viewer to consider in his estimation that he was seeing a wild beast in the way that was discussed in the preceding chapter.[234] (How the virtue of a demon can do such things without harm will be explained below.)[235]

As for the second story, in which the customers were changed into beasts of burden by tavern girls, and the story that the father of Praestantius was a horse and carried wheat, it should be noted that in those cases there were three deceptions. First, the art of conjuring made it seem that those humans had been changed into domestic beasts, a change made in the manner discussed above.[236] Second, when those burdens
120B seemed to surpass the strength of the carriers, demons | conveyed them invisibly. Third, those who seemed to others to have been changed into other appearances also seemed to themselves to have been converted into wild beasts, just as happened to Nebuchadnezzar that, when seven times[237] were changed over him, he ate hay like an ox [Dan. 4:28].[238]

[233] Cf. 60D.
[234] 115D–116D.
[235] Ch. 9 (121A–125C).
[236] 115A–116C.
[237] Such is the meaningless text of the Vulgate Bible.
[238] 4:32 in English versions.

As for the story that the companions of Diomedes were converted into birds and flew around the temple, it should be said that this Diomedes was in the army of the Greeks at the siege of the city of Troy and was drowned in the sea with his companions as he tried to return home, and that when a temple was built for him at the prompting of a certain idol, as if Diomedes had been added to the number of the gods, to confirm this error the demons for a long time flew around the temple as birds, in the companions' place. Hence, in this instance there was a kind of superstition that differed from the conjuring tricks mentioned above. For it was not by bringing back pictures of perception to the force of imagination but by flying as birds in assumed bodies | that they showed 120C themselves to the eyes of the viewers.

If it is asked whether they could also have played an illusion on the viewers in the way mentioned before, that is, by bringing back perceivable pictures, so that the demons would not have shown themselves as flying birds in assumed bodies, it should be said that they could have. For it is the view of certain people, as St. Thomas relates in the *Commentary on Pronouncements* (Dist. Eight, Art. Two [*Sent.* 2.8.1.2.Co.]), that no angels, whether good or evil, would ever assume bodies, but that all the things that are read about their apparitions in the Scriptures were done in the form of conjuring tricks or with reference to the imagination's vision. In connection with these words the Holy Doctor makes a distinction between a conjuring trick and the imagination's vision, in that while the conjuring trick can have an object presenting itself to the body's sight from the outside (although it seems different from what it is), the imagination's vision does not necessarily demand that the thing be presented externally, but can occur without that external presentation and merely through those internal pictures of perception, | 120D when they are brought to the force of imagination. Hence, in the view of these people, the companions of Diomedes were not represented by demons in assumed bodies and in the likenesses of birds, but merely by a vision of the fantasy and imagination, that is, through bringing back those pictures of perception and so on (as above). The Holy Doctor, however, rejects this view not as a mere view but as an error, though also not as a heresy[239] (as the pious belief should perhaps be), since such imaginary apparitions were at times used both by good angels and by evil ones without assumed bodies. Therefore, as he says in the same

[239] The distinction being that while the view is held to be in violation of the doctrine of Christianity and is thus described as an error, it is not deemed a thorough-going rejection of orthodox belief, which would constitute a heresy.

passage, since the Saints say in common that angels did appear in a bodily vision, and such an apparition does occur in assumed bodies, the text of Holy Scripture is in fact more in agreement about such bodily apparitions than about apparitions involving the imagination or conjuring. Accordingly, on the basis of these facts, we can for the present
121A say about any | visions like those involving the companions of Diomedes that although through the work of demons his companions could have been seen in the viewers' imaginary vision in the manner mentioned, it is nonetheless preferable to presume that they were seen as flying birds because of demons in assumed bodies made out of the element of air, or that natural birds were moved by the demons to represent them.

[Note on Sources
Major identified sources for Ch. 8:
Aq., *Sent.* 2.8.1.2
Nider, *Praec.* 1.11.7, 8]

## How demons exist inside bodies and heads without causing harm when they work changes involving conjuring

Chapter Nine

IN connection with the method of causing a transformation through conjuring, further questions may be asked: whether the demons exist at that time inside bodies and heads, whether such humans are to be considered as possessed by demons, how it can happen that they can bring pictures from one internal faculty to another without harm to the
121B internal faculties and forces, | and whether or not such a work should be considered a miraculous deed.[240]

As for the first, a distinction should be made about the illusion caused by conjuring, because, as has been said, such an illusion is sometimes played on the external senses and sometimes on the internal ones, reaching the external one. The former sort can happen without the demons entering the external faculties, since they do not take possession of these faculties but only play an illusion on them on the outside, for instance,

[240] In the actual discussion, the order of topics two and three is reversed. The existence of demons in the head is discussed in 121B–D, their movement of pictures in 122A–B, the possessed in 122B–C, and the status of their works as miracles in 122C–123C.

when a demon conceals some body by placing some other body in the way or in some other way, or assumes the body himself and shows himself to the vision. The latter sort, on the other hand, cannot happen unless he takes possession of the head and faculties themselves as the source.[241]

This is shown by authority and reasons, and it is no objection that two created spirits cannot be in one and the same place and that the soul is in every part of the body. On this point there is the authority of John of Damascus: "An angel is in the place where he works," | and the 121C reasoning of St. Thomas: "On the basis of their natural virtue, which is certainly superior to any bodily virtue, all angels, whether good or evil, have the power to transform bodies" (*Commentary on Pronouncements*, Bk. 2, Dist. 7, Art. 5 [actually, 2.8.1.5.Co.]). This is clearly the case not only because of the superiority and nobility of their nature but also because the entire structure of the world and bodily creation is run by angels (Gregory: "An arrangement for this visible world can be made by an invisible creation" (*Dialogues*, Bk. 4 [4.6]), and hence all bodily objects are governed by angels, in the same way that not only the Holy Doctors but all philosophers[242] state that this is the case with the movers of the spheres. This is also clearly the case from the fact that all human bodies are moved by souls, just as the other bodies are moved by the heavenly bodies and by their movers. If someone wishes to, let him look at St. Thomas in *Part One*, Quest. 110, Art. 1. From this it is concluded that because demons are in the place where they are working, when they throw into confusion the internal faculties and those of fantasy, they are in fact there.

Also, although | it is possible only for Him Who created the soul to 121D glide into it, nonetheless demons too can glide into our bodies with God's permission, and because they can then make impressions on the internal faculties attached to the bodily organs, through such impressions the workings of the organs can, like the organs themselves, be changed in the manner mentioned before, in that the demons can bring forth pictures stored in one faculty attached to an organ. For instance, from the memory, which is in the back part of the head, a demon brings forth a picture of a horse by moving in location an image of the fantasy up to the middle part of the head, where the compartment for the force of imagination is, and then in sequence up to the common sense of

[241] I.e., the source of the images.
[242] I.e., students of natural philosophy (see n. 39).

perception, whose seat is in the front part of the head.[243] They can so suddenly change everything and throw it into confusion, that such forms are necessarily considered in the estimation to be the same as if they were being shown to the external vision. There is an obvious illustration in the natural defect in frenetics and other maniacs.

122A If it is asked in what | way he can achieve this without causing pain in the head, the response is easy. First, he does not split or change the organs in terms of their object,[244] but merely moves the pictures. Second, because the demon, who lacks any bodily quality, does not make an alteration by introducing some active quality from which suffering necessarily follows, he can perform such works without pain. Third, as has been said, he merely makes transmutations through a shift in location from one organ to another and not through other motions that sometimes result in harmful alterations. Therefore, as to the question that causes the difficulty (since two spirits cannot – by definition – be in the same place and since the soul is in fact in the head, how can demons be there too?), it should be said that the center of the heart is assigned as the seat of the soul, and that there it shares life by pouring it into all the limbs. An illustration can be given in the way that the spider in the
122B middle of its web senses a touch | in any direction. There is, however, the statement of Augustine in his book *The Spirit and Soul* that in its entirety the soul is in the entire body and in every part of the body. Therefore, given that the soul is in the head, the demon can still work there too, because his working is different from the working of the soul. For the working of the soul is in the body, so that it can give it form and pour in life, and for this reason it is there just like a form in the material but not like a form in a place.[245] The demon, on the other hand, is there as if in a given part of the body and in a given place, changing and working on the pictures derived from the senses of perception. Hence, because there is no confusion of their respective workings, each can be in the same part of the body at the same time.

As for the question whether such people should be considered as possessed or "seized"[246] (that is, seized by demons), this needs a specific explanation as to whether it is possible for someone to be possessed by a demon through the work of sorcerers, that is, whether the demon can

[243] In the scholastic understanding of the functioning of the mind, the various "faculties" were thought to reside in specific locations of the brain called cells.

[244] I.e., the real thing upon which their functioning is supposed to operate.

[245] For this sense of "form," see n. 118.

[246] This attempts to render into English the Latin *arrepticius*, which signifies someone who has received the power of prophesy as the result of having been "seized" by divine power; see 48D.

really take control of him in body, the specific method will be treated in the following chapter, since this topic too has a specific difficulty (whether | this can happen through the works of sorcerers). 122C

As for just the question of whether such works of sorcerers and demons should be evaluated after the fashion of miraculous works, so that they will be considered miraculous works, it should be said that they can, to the extent that they happen in a manner surpassing the order of the created nature that is known to us through the virtue of a creation that is unknown to us. Properly speaking, however, they are not miracles in the way that things that happen in a manner surpassing the order of the entirety of created nature are miracles (like the miracles of God and of the Saints). (See the discussion in Part One of the work under Question Five and the refutation of the third error.)[247]

In addition to this, the following discussion must be added for the sake of those people who would call works of this kind into question as if they ought be considered not miraculous works but merely works of the Devil, both because miracles are given for the strengthening of the Faith and thus should not be conceded to the opponent of the Faith, and also because the signs of the Antichrist are called lying signs by the Apostle [2 Thess. 2:9]. As for the first, it should be said that the ability to perform miracles is a gift of Grace freely given, and therefore they can happen through evil spirits (in the case of the things to which the demons' virtue extends), just as they can through evil | humans. 122D Hence, miracles performed by good men can be distinguished from those that are performed by evil ones in at least three ways. The first distinction is the effectiveness of the virtue that is at work, since signs performed by good men are performed through God's power. This is also the case with those things to which the virtue of active nature in no way extends, like reviving the dead and the like. The demons cannot perform these deeds in terms of reality but only as tricks of conjuring (for instance, Simon the Magician[248] and the dead man whose head he moved) and such deeds cannot last long. The second distinction is the usefulness of the signs, since signs performed by good men concern useful matters (for instance, curing illnesses and the like), while signs performed by sorceresses concern harmful or vain matters (for instance, their desire to fly in the air or make human limbs numb and the like). St. Peter makes this distinction in the *Itinerary of Clement*.[249] The third

[247] 38A.
[248] See Pt. 1 n. 415.
[249] The citation comes from Aquinas, *Sent*. 2.7.3.1.Co. (ultimate reference unknown).

123A difference concerns the purpose, | since the signs of good people are ordained for the edification of the Faith and of good character, but the signs of evil people are intended to cause manifest harm to the Faith and to respectability. They also differ in terms of the manner of working, since the good work miracles by invoking the Name of God piously and reverently, but sorcerers and evil people do so with certain ravings and invocations of demons.

It is no obstacle that the Apostle calls the works of the Devil and the Antichrist lying signs, since at that time[250] the wonders that will be performed by him with God's permission are both true and false in different senses. They are true in connection with the things that are done by the virtue of the demon to which his power can extend, but false when he will do things to which his power cannot extend, like raising the dead and giving sight to the blind. In the first instance, when he attempts to do this, he will either enter the body of the dead man or he will remove it and in place of it show himself in an assumed body made out of air. Similarly, in the second instance he takes away vision through
123B the art of conjuring or inflicts other illnesses | and then he will suddenly heal them by stopping the harm and not by righting internal qualities, as is described in the story of St. Bartholomew.[251] All the wondrous works of the Antichrist and of sorceresses can also be called lying signs in that now they are performed only for the purpose of deceiving but at that time the Antichrist will work them.[252] So Thomas (Dist. 7, [*Sent.* 2.7.3.3.Ag1] "On the virtue of demons in their working").

At this point, the distinction in miracles that is set down in the *Compendium of Theology* to differentiate between a wonder and a miracle could be cited. A miracle properly has four requirements. First, it is from God. Second, it is contrary to the existence of nature, whose order it violates. Third, it is obvious. Fourth, it contributes to the strengthening of the Faith. Therefore, since at least the first and last requirements are missing in the works of sorceresses, they can be called wondrous works but not miracles.

There is also the following reasoning. They can in some way be called
123C miracles, since some surpass | nature, some violate nature, and others contradict nature. Surpassing nature are those for which there is nothing similar in nature or in its ability, like a virgin giving birth. In violation of

[250] I.e., during the End Days, when the Antichrist will take power.

[251] As cited in Aquinas, *Summa* 3.54.1.Ra2, Bartholomew was given the ability to be seen or not as he pleased.

[252] Reference to 2 Thess. 2:9–10 (see 62B).

nature are those that are performed through a usage contrary to nature but are described as being in conformity with nature, like the giving of sight to a blind man. In contradiction to nature are those that are done in a manner similar to the natural order but not from a natural origin. This was the case with the rods being turned into snakes [Exodus 7:11], since nature could have done this through a long process of rotting on account of the seminal causes.[253] In this way, the works of magicians will be called wonders.

It is a good idea to relate an event and dwell on its explanation for a little while. There is a town in the diocese of Strasburg, whose name considerations of charity and respectability demand to be hidden, and one day, when a laborer was cutting wood there to burn (at home), all of a sudden a certain cat of large size strove to harass him by throwing itself against him insistently. When he cast the cat aside, another one of greater | size all of a sudden appeared, accosting him more vigorously 123D along with the first one. When he again tried to push them away, there now were three of them accosting him together, sometimes jumping up at his face, sometimes snapping at his forearms! He was terrified at this, and being overcome, as he related, with greater worry than at any other time, he protected himself with the Sign of the Cross. Abandoning his work, he was barely able to drive the hostile cats off, striking them with the cut wood, first one on the head, then another on legs or back, as they leaped up, one moment at his face, the next at his throat. He kept on with his work for an hour afterwards, when all of a sudden two attendants of the chief magistrates of the town arrested him as an evil-doer and brought him before the bailiff (judge). Seeing him from afar, this judge was unwilling to give him even a hearing and ordered him to be cast into the dungeon of a certain tower (prison),[254] where those awaiting execution were kept. With lamentations the laborer cried out plaintively to the prison guards for three days, asking why such things were happening to him when he knew himself to be guilty of no crime. | The more the guards urged that he be given a hearing, the more 124A bitterly the judge raged with anger, uttering insulting words. He asked rhetorically how such an evil-doer could still not admit his guilt and how

[253] I.e., snakes are "imperfect" animals (see Pt. 1 n. 420) that can generate spontaneously and that leave their "seeds" lying around in ponds and the like, so that the demons can use them to "create" life. The phrase "seminal causes" (*seminales rationales*) is a term from Augustine's thought that refers to the potential virtues that exist in matter before it is created into an object through the imposition of a "form," at which point "natural effects" ensue; see Aq., *Sent.*, 2.18.1.1.

[254] Towers in German towns (called *Türme*) often served as prisons.

he could proclaim himself innocent when the evidence of the deed[255] demonstrated his horrible crimes. Though the guards made no progress, the judge was induced by the urging of the other chief magistrates to grant him a hearing. When the accused was therefore brought out of the prison and placed before the judge, the judge refused to look at him, and the poor man fell before the knees of the bystanders and pleaded that the reason for his misfortune should be revealed to him. At this the judge burst out with the following words: "You foulest criminal on earth! How can you not confess your crimes? Look, on such-and-such a day at such-and-such a time you wounded three prominent matrons of this city, so that they lie in their beds and cannot get up or move." After
124B recovering his strength and | pondering what had happened, the poor man said, "Well, in all the days of my life I have never struck or beaten a woman, and I will prove through the lawful production of witnesses[256] that on such-and-such a day and hour I was engaged in cutting wood. In fact, your own servants found me engaged in this task the following hour." Then the judge spoke again in fury: "Look how he strives to mitigate his crimes! The women bewail their bruises, showing them and publicly attesting that he struck them." Then, after giving further thought to what had happened, the poor man said, "I recall that at that hour I struck creatures, but they weren't women." In astonishment, the bystanders wished him to reveal what sort of creatures he had struck. He then related what had happened, to the astonishment of everyone, as was mentioned above. Realizing that this had been the work of the demon, they[257] ordered that the poor man should be released and that he should depart unharmed, adding that he was to reveal the affair to no one.[258] But the event could not be kept secret by the zealots for the Faith who were present.[259]

124C Regarding this method, a few statements follow in terms of | whether demons appeared in effigies assumed in this manner without the presence of sorceresses or the bodily presence of the sorceresses was changed by the artifice of conjuring into those forms of wild beasts. In response it should be concluded that although either could happen through the virtue of

[255] "Evidence of the deed" is a technical legal expression for an act that renders the guilt of the accused obvious, and constitutes one of the three grounds for conviction (along with the "lawful production of witnesses" and a confession).

[256] Another technical legal term (see preceding note). The use of the language by a mere laborer raises doubts as to the veracity of the direct quotations in this passage.

[257] Who exactly "they" are is not clear.

[258] Seemingly, the three women got off scot-free as part of the cover-up.

[259] These devout believers in the existence of sorcery must be the source of this story.

demons, the greater presumption is that the latter happened. For no one doubts that when the demons attacked the laborer in effigies of cats, a movement in location through the air could have suddenly inflicted on the women as they sat at home the blows and beatings inflicted by the laborer on the cats (because of the mutual agreement long before entered into).[260] In this way, when they want to affect someone through sorcery, they know how to inflict on some painted or cast image the harm or pricking that they want to inflict, harming not the image but the person whom it is to represent according to the prickings made on the image.[261] Various illustrations about the method could be cited.

It is not a valid point if someone objects that the women harmed in this way were perhaps innocent,[262] | since it has in fact been demon- 124D
strated through the illustrations discussed above that forms of injury can happen to the innocent, when someone is harmed unawares by a sorceress through a image crafted by art. This point is not valid, because it is one thing to be harmed by a demon through a sorceress and another to be harmed by a demon alone without a sorceress. For the demon takes the blows by himself in the effigy of an animal in an instance where he inflicts the blows on someone bound to him by an agreement and with that person's consent has presented himself in such a form and manner for the purpose of such an apparition. Hence, he can in this way harm only the guilty who are bound to him by an agreement, and he cannot harm the innocent in this way at all.[263] When, on the other hand, the demons seek to cause harm through sorceresses, it is often the case that with God's permission they also afflict the innocent as vengeance for such a crime. It is true that demons sometimes do harm the innocent

[260] This statement explains why the second alternative is possible, even though the first is preferred.

[261] The situation is compared to "sympathetic magic," in which harm inflicted on an image is transferred, by a demon according to the present interpretation, to the person represented by the image (see the discussion in 132A–B and the anecdote in 134B–135A). The analogy is not very satisfactory in that normally the harm is transferred to the intended victim, while in this case the harm is transferred to the perpetrator (the sorceresses) in order to cause trouble for the victim (the laborers) and the harm that is transferred is caused (unintentionally) by the victim.

[262] Cf. the later discussion of the impossibility of demons giving innocent women a false reputation for sorcery (132B–133B).

[263] This "argument" is merely a self-serving assertion designed to get around an obvious objection to the "construct" of sorcery. It is necessary to deny out of hand the possibility that the Devil, whose powers are *ex hypothesi* so great and whose intent is presumed to be evil, has framed accused sorceresses by fabricating the supposed evidence of their guilt. The presumption here is that the demon can act in this way only on account of some putative agreement with the sorceresses, but (apart from the claim made elsewhere that the demon takes the initiative and craftily ensnares women against their will; see 96D, 99A–B) there is no theoretical basis for this restriction on the demon's abilities (and the restriction is not even universal; see the anecdote in 134A).

by themselves with God's permission, and long ago they harmed the Most Saintly Job. They were not present in that instance, however, nor did the Devil use apparitions caused by conjuring as was the case in
125A this deed, when he used the fantastical image of a cat. | (This animal is an appropriate symbol for breakers of the Faith, just as the dog is one for preachers in the Scriptures.[264] For this reason, these animals always lie in ambush for each other, and in the form of a barking dog the Order of Preachers was shown the path against heresies in the person of its founder.)[265] It is presumed that the three sorceresses attacked the laborer in the second method, because the first method would not have pleased them so much and the second is more suitable to their curiosity.[266]

The procedure in this affair reflects the following three features. First, the sorceresses were importuned about this by the demons' insistence and not the other way around. For we have very often discovered from their confessions that they had to commit more evil deeds at the insistence of the demons, who constantly demanded this of them. It is thus probable that by themselves they would not have conceived the notion of harassing the poor man. (The reason why the demons importunately demand this is without a doubt that they know full well that when manifest
125B crimes remain unpunished, | God is more offended, the Catholic Faith is disgraced, and the number of sorceresses is further increased.) The second feature is that having the women's consent, the demons transferred their bodies in location with the ease by which spiritual virtue is superior to bodily. The third is that when they had to attack the laborer after being converted into the appearances of wild animals through an apparition caused by conjuring in the manner treated above, they were not defended against the blows. For the demons could have defended them just as easily as they transported them. Instead, the demons allowed them to be beaten and to reveal the beater, knowing that effeminate men who have no zeal for the Faith leave such crimes unpunished for the reasons already mentioned. Relevant here is a story told about a certain saintly man. When he once found the Devil giving a sermon in the guise of a priest in a church and recognized through the Spirit that this was the Devil, the holy man paid careful attention to his words, noting whether he instructed the congregation properly or poorly. His

[264] The reference to Scripture presumably refers to interpretations of the Bible that take references to dogs as foreshadowing the later role of the Dominicans as aggressive pursuers of heresy.
[265] For St. Dominic as a baying dog, see 40C.
[266] I.e., the two ways mentioned in the previous paragraph.

judgment was that the Devil was beyond reproach, indeed a chastiser of crimes. | Summoning the Devil at the end of the sermon, the saintly 125C
man asked the reason for this. The Devil replied, "Well, I tell the truth, because I know that when they listen to the Word but do not act on it, God is more offended and my profit increased."

[Note on Sources
Major identified sources for Ch. 8:
Aq., *On Evil* 16.11
*Sent.* 2.7.3.1; 2.8.1.5
*Summa* 1.110.4]

## the method by which demons sometimes inhabit humans in substance through the workings of sorceresses

Chapter Ten

SINCE there was a treatment in the preceding chapter of how demons can enter and occupy the heads of humans or other parts of the body, and can move internal pictures from place to place, someone could be uncertain as to whether they could, at the insistence of sorceresses, take control of humans entirely, and about the different methods of taking control without the insistence of sorceresses. Three things are necessary to explain these doubts. An explanation must first be given of the various methods of possession, and, second, of the fact that, at the insistence of sorceresses, demons at times take possession by all those methods with God's permission. Third, acts | and deeds concerning these 125D
matters should be cited.

As for the first. Here, the general method by which the Devil inhabits a human with any given mortal sin is left out of account. This method is discussed by St. Thomas in *Quodlibet* 3, Q. 3, on the doubtful point, "Whether the Devil always inhabits a human in substance whenever he sins mortally." The cause of his doubt would be that the Holy Spirit always inhabits a human with Grace according to 1 Corinthians 3[:16] ("You are the temple of God and the Spirit of God dwells in you"), and guilt is opposed to Grace and opposites must occur in relation to the same thing. Here he explains that "to inhabit a human" can be understood in two ways, in terms either of the soul or of the body. An analogy to the first way is not valid, since it is not possible for the Devil to inhabit the

soul because God alone glides into the mind, and also because the Devil is not the cause of guilt in the same way that the Holy Spirit is the cause of the Grace that the Holy Spirit produces in the soul by His own working. As for the body, we can say that the Devil can inhabit a human in two
126A ways, | just as humans can also be found in two ways, being in a state of either sin or Grace. As for the first way, it should be said that any mortal sin results in a human being sentenced to serve the Devil, inasmuch as the Devil sometimes suggests a sin externally, in terms of either the senses of perception or the imagination, and therefore the Devil is said to inhabit the desiring of a human, since the latter is moved at any urging of temptation, like a ship at sea without a helmsman. The devil can also inhabit a human in substance, as is clear in the case of those "seized."[267] Because this has more to do with penalty than with guilt, as will be explained, and because bodily penalties do not always follow guilt, but are sometimes inflicted on both sinners and non-sinners, demons can, in accordance with the loftiness of God's inscrutable judgments, inhabit in substance both those in and those out of the state of Grace. Although this method of possession does not pertain to our investigation, it is
126B nonetheless set down to ensure that no one will think it impossible that | with God's permission, humans sometimes are in fact inhabited by demons in substance at the insistence of sorceresses.

We may therefore say that demons can harm and possess humans at the insistence of sorceresses in the same five ways that they can do so by themselves without sorceresses, because in that case greater power to act savagely against humans through sorceresses is permitted to the demon, since God is more offended. With the exception of the fact that they sometimes harass in connection with the external goods of fortune, the methods are, in a summary listing, the following. Sometimes they harm people only in their own bodies; sometimes they so do in their bodies and their internal faculties at the same time; sometimes they merely tempt inside and outside; and some people they deprive of the use of reason temporarily, while others they make like unreasoning wild beasts.

Let us discuss these points individually, but first we should give an introductory explanation of the reasons why God permits humans to be possessed, because the material dictates such an order. Sometimes
126C a person is possessed for his greater | merit, sometimes for someone else's trivial misdeed, sometimes for his own venial sin, sometimes for someone else's serious sin, and sometimes for his own great crime. No

[267] See 48D.

one doubts that for all these reasons God does permit similar things to be done by demons at the insistence of sorceresses, and it would be useful to prove the individual points on the basis of Scriptural passages, and not merely of recent events, since new things are always corroborated by old ones.

The first is made clear in the *Dialogue* [1.20] of Severus, the dearest disciple of St. Martin. There it is said that a certain Father of a most holy way of life was so endowed with the grace of driving out demons that they were put to flight not only by this Father's own words but even by his letters and shirt of goat hair. After the Father became very famous in the world, he perceived that he was being tempted by vainglory. Although he stood up to this vice like a man, nonetheless, in order that he should be further humbled, he prayed to God with all his heart that he should be possessed by a demon, which in fact happened. He was immediately possessed and had to be tied up. All the common remedies for those possessed by demons had to be used on him, | and at the end of five 126D
months, he was instantly freed from the vainglory and the demon. For the moment it is not asserted that this reason could cause someone to be possessed by a demon through someone else's sorcery, since one cannot read that this happened in the past, although, as has been said before, the judgments of God are inscrutable.

Regarding the second point (someone being possessed as a result of someone else's misdeed), St. Gregory [*Dialogues* 1.10.6ff.] sets down an illustration concerning St. Eleutherius the Abbot, a very simple man. When he was spending the night near a monastery of nuns and without his knowledge they ordered a small boy who was being harassed every night by a demon to be placed by his cell, the boy was freed the same night through the presence of the Father. When the holy man learned of what had been done, the boy was placed in his monastery. A few days later, feeling somewhat immoderate delight at having freed the boy, he said to his fellow brothers, "The Devil had been amusing himself with the boy and those sisters, but when the boy came to the servants of God, the Devil did not have the effrontery to approach him." | Suddenly, 127A
the Devil began to harass the boy, but with difficulty he was freed (the same day) through the tears and fasting of the holy man and his fellow brothers.

Indeed, given that someone can be possessed as the result of someone else's trivial misdeed, it is no wonder if their own venial or someone else's serious sin or their own crime causes certain people to be possessed by demons at the insistence of sorceresses. A clear instance of one's

own venial sin is given by Cassian (*First Conference, about Abbot Serenus* [7.27]) when he says of Moses: "Although Moses was a unique and incomparable man in the monastery, he uttered a rather harsh statement when he was thwarted in a certain opinion during an argument with Abbot Macharius. As a rebuke for this statement, he was immediately surrendered to a fearsome demon. Possessed by this demon, he placed human excrement in his mouth. It is clear from his miraculous cure that the Lord inflicted this scourging for the sake of cleansing, so that the
127B stain of even a moment's misdeed should not remain on him. For | as soon as Abbot Macharius engaged in humble prayer, the wicked spirit was quickly put to flight and left him."

Similar to this is what Gregory reports (*Dialogues*, Bk. 1 [1.4.7]) about the nun who ate lettuce without first protecting herself with the Sign of the Cross and was freed by the Blessed Father Equitius.[268]

Regarding the fourth point (someone being possessed for someone else's serious sin), the Blessed Gregory tells a story (same place [1.10.6]) about St. Fortunatus the Bishop. When he had warded off the Devil from a man he was assaulting, at the end of the day the same demon began to shout through the streets of the city in the guise of a stranger, "What a holy man Bishop Fortunatus is! Look, he threw me, a stranger, from his hospitality, and I cannot find anywhere to rest." At this point, a certain man sitting with his wife and son invited him to his own hospitality. Asking the reason for the stranger's having been thrown out, the man rejoiced at the disparagement of the holy man that he falsely heard from the stranger. Then, however, the Devil attacked the boy and threw him on the burning coals, casting out his soul. In this way, the wretched father understood for first time who it was that he had received in hospitality.

127C We read about the fifth | reason (one's own great crime) both in Holy Scripture and in the accounts of the Saints' Passions. This is how Saul was possessed when he disobeyed God (1 Sam. 15 [actually, 16:14]).[269]

As we said,[270] all these points have been discussed to ensure that it will not seem impossible to anyone if people are possessed because of the crimes of sorceresses, just as some are possessed at their insistence. With

[268] In the longer version of this story in Nider, the nun forgot to cross herself because of her greed for a nice lettuce that she saw, and as a result of this lack of piety she was possessed by a demon.

[269] For his disobedience in that he did not annihilate the Amelekites and their possessions as God had ordered, God disowned Saul and an evil spirit began to torment him; see 75C.

[270] 125C.

reference to this, in order that we may understand the various methods of possession, let us cite an event concerning the second method.

In the time of Pope Pius II,[271] the following event happened to one[272] of the two inquisitors writing this treatise, before the Office of the Inquisition was enjoined upon him. A certain Bohemian from the town of Tachov[273] brought his only son, who was also a secular[274] priest, to Rome to be freed, because he was under assault. By chance, when I (one of the inquisitors) had entered an inn for refreshment, it happened that this priest and his father were sitting beside me as table companions. While we ate | and conversed with each other, as is the custom of travelers, the 127D
father sighed several times and prayed to Almighty God that he would complete his journey with success. Sympathizing with him from the bottom of my heart, I began to ask what the reason was for his journey and sadness. Then, in the hearing of his son, who was beside me at the table, he answered, "Alas! I have a son under assault by a demon, and at great labor and expense I have brought him this far for him to be freed." When I asked where the son was, he indicated that he was beside me. I was somewhat horrified, and observing carefully that he took his food with such modesty and responded piously to every question, I began to have doubts in my mind and interjected that he was not under assault, and instead something had happened to him because of an illness. The son then told the story himself and indicated in what way and for how long he had been under assault. "A certain woman," he said, "who was a sorceress gave me this illness. When I was quarreling with her because of some displeasure with | the parish administration and I upbraided her 128A
rather harshly because she was of an obstinate disposition, she said that after a few days I would have to pay attention to the things that would happen to me. The demon living in me also tells the same story, that a device for sorcery was placed under a certain tree by the sorceress and if it is not removed it will not be possible for me to be freed, but he is unwilling to point out the tree." I would not have placed even the least faith in his words had not the proof of experience immediately taught me. For when I asked him about the interruption that allowed him to

[271] Pope 1458–1464.

[272] Generally assumed to be Institoris.

[273] This town, founded in the thirteenth century by Ottokar II of Bohemia, lies in the present-day Czech Republic close to the German border. Why the town is referred to by the Slavic name Dachovo rather than the Germanic form Tachau is unclear. Institoris was active in Moravia in the late 1460s and early 1470s, but seems not to have spoken Czech. Perhaps his traveling companions were German-speaking Czechs who used the native form of the town's name.

[274] I.e., not a monk or friar.

be in such control of his reason contrary to the usual practice of those under assault, he answered, "I am deprived of the use of reason only when I wish either to devote myself to Divine Service or to visit holy places. In particular, the demon said in the words he uttered through me that since up until then I had given him greater displeasure in my sermons to the congregation, he would not allow me to preach at all, as is now the case." According to the father's account, he was a preacher filled with Grace and beloved of everyone.

Wishing to become certain about the details, I decided to take him
128B for half a month and more | to various shrines of the Saints, especially the Church of St. Praxidis the Virgin, in which there is part of the marble statue to which Our Savior was bound during His scourging,[275] and the place in which Peter the Apostle was crucified.[276] In these places he would pour out awful wailings while being exorcized, claiming now that he was willing to leave, a little later that he was by no means willing. As has already been said, in all forms of his behavior the priest remained composed and without any disgrace except when the exorcisms began and when the stole was removed from his neck at the end. Afterwards, he would again exhibit not even the least unreasonable or disreputable gesture. The only exception was when he was passing through a church and would bend his knees to greet the Glorious Virgin. At that point, the Devil would stick the priest's tongue far out of his mouth, and when asked whether he could not restrain himself from doing that, the priest answered, "I do not have the strength to do so at all. When he pleases, he uses all my appendages and organs – my neck, tongue and lungs –
128C for speaking or wailing so that while I do hear the words | that he speaks in this way through me and from my organs, I am completely unable to resist, and the more devoutly I try to engage in prayer, the more keenly he attacks me, sticking out my tongue."

[275] St. Praxidis is a martyr made up in late antiquity as the daughter of Pudens, supposedly a pupil of St. Paul in Rome. In 1223 John Cardinal Colonna had a column transported from Jerusalem to her church in Rome, and this Column of the Flagellation can still be seen there in the Oratory of St. Zeno. In about 1450 an English monk named John Capgrave reported that within a chapel there was an altar containing the remains of St. Valentine, and "under the altar is a piece of that pillar to [i.e., at] which Christ was scourged."

[276] There is some doubt as to the supposed site of this event. The modern story has it that this took place on the site of the church of St. Peter in Montmorio on the Janiculum Hill. This story can be attested in German authors of the fifteenth century. A variant had it that the crucifixion took place at a site adjacent to St. Peter's Basilica in the Vatican, as is attested by John Capgrave. Since this basilica is mentioned soon hereafter as the site of the priest's liberation from his demon and there is no sense that this is the same as the site of the present attempt, presumably St. Peter's in Montmorio is meant.

In the Church of St. Peter, there is an elaborately carved column from the Temple of Solomon and by its virtue many people under assault by demons are freed, since Christ Himself supported Himself on it when preaching in the Temple,[277] but this man could not be freed because of the hidden judgment of God, Who arranged a different method for him to be freed. He was kept locked in the church by the column for an entire day and night, and the next day a great crowd gathered and thronged around as various exorcisms were read over him. When the priest[278] was asked on what part of the column Christ had leaned, he showed the placed by biting the column with his teeth, wailing, "He stood here! He stood here!" At the end, however, he said, "I do not wish to leave." When asked why, he answered, "Because of the Lombards." When asked why | he did not wish to come out because of the Lombards, the priest 128D answered in the Italian tongue (he did not know that form of speech), "They all do such-and-such," naming the vice of debauchery already mentioned.[279] Afterwards, however, the priest asked me, "Father, what

[277] This was one of some twelve (some medieval authorities also claim fourteen or sixteen) twisted columns that survived from antiquity and were preserved in St. Peter's Basilica. (The Latin phrase translated as "elaborately carved" literally means "sawed around," the exact significance of which is unclear.) Their real history is as follows. When Constantine, the first Christian Roman emperor, built a basilica over the site of Peter's grave, he raised a large canopy over the burial, supporting this with six columns brought from Greece. In the late sixth century, Gregory the Great rebuilt the canopy and had the columns placed in front as a screen. Gregory III (731–741) added six more such columns (a present from the Exarch of Ravenna). Late legend had it that these columns (sometimes said to number fourteen or sixteen) came from the great temple to Yahweh in Jerusalem (the temple being falsely ascribed to Solomon, though it had been destroyed by Nebuchadnezzar in the early sixth century BC) and that Jesus had sat under one of these columns while preaching. This particular column was well-known as a location for healing those possessed by demons, as is attested by an English visitor of the fifteenth century: "In the Church of St. Peter . . . there are a number of columns of white marble marvelously carved to represent, as it were, vines with leaves and clusters of grapes running up the pillars, beneath one of which, it is said, Jesus sat when He was preaching in Solomon's temple at Jerusalem, whence it was brought to Rome and is now well protected with iron, and almost every day it works great virtues, especially on demented persons, and on those possessed by devils. A priest is often in attendance with a book, who, vested in surplice and stole, is ready to help infirm folk by prayer, etc." The column has an inscription on it that would have been seen by the author (presumably Institoris): "This is the column, upon which Our Lord Jesus Christ supported himself and stood leaning, while he was preaching to the people and pouring forth prayers to God the Father in the Temple. Together with the other eleven that stand alongside here, it was placed here from Solomon's Temple as a triumph for this Basilica. It expels demons, has freed people harassed by unclean spirits, and performs many miracles everyday. Adorned by the Reverend Lord Father, Lord Cardinal Orsini, AD 1438."

[278] Apparently the priest attested as attending the column.

[279] Though it has not been mentioned for some time, it would seem that sodomy is what the inquisitor has in mind. This is rather odd, since Florence, the capital of Tuscany, was the Italian city that was commonly associated with homosexuality. This reputation extends back to at least the fourteenth century, and in 1432 the city instituted a special magistracy to deal with the situation. The main city of Lombardy was Milan, and unless the demon was privy to some

do these Italian words that he uttered from my mouth mean?" After I told him, he replied, "I did hear the words, but I could not understand them."

As the outcome of the affair proved, this demon was of the kind about which the Savior said in the Gospel, "This kind of demon is cast out only in praying and fasting" [Matt. 17:20]. Therefore, a certain venerable bishop, who had, it is said, been thrown out of his see by the Turks,[280] piously sympathized with the priest and every day devoted himself to fasts and prayers and exorcisms throughout the entire period of Lent on a diet of bread and water. In the end, he freed the priest through the Grace of God and sent him back home in joy.

Although on this topic no one in this life could, without a miracle, satisfactorily describe by which and by how many different methods the demon possesses or harms humans, we can nonetheless say that he does
129A so in five ways, | leaving aside the fact that he sometimes causes harm only in connection with the external affairs of fortune. Some people are harassed only in their own bodies, some in body and the internal faculties at the same time, some only in the internal faculties, some people are only temporarily deprived of the use of reason as a chastisement, and some are made like unreasoning wild beasts. The explanation is that the priest mentioned above was possessed in the fourth way. For he was harassed neither in the matters of fortune nor in his own body, as happened to the saintly Job. For Holy Scripture clearly relates about this that God authorized the demon by saying to Satan, "Behold, all the things that he has are in your hand. Just do not stretch forth your hand against him" [Job 1:12]. This authorization concerned his external property. But concerning his body God later says, "Behold, it is in your hand. But preserve his soul," [Job 2:6] that is, "do not take away his life." It can also be said that he[281] was harassed by the third[282] method, that is, in the internal faculties of the soul and in the body together, since he said to the
129B Lord, as is stated in Job 7[:13–14], | "If I say, 'My bed will console me,' and am comforted as I speak to myself in my bed, You will terrify me with dreams and You will make me bristle in horror with visions." According to Nicholas of Lyra [*Postilla literalis*], "at the instigation of the demon" is

source of information now unknown, it would seem that he (or the author) has confused the Lombards with the Tuscans.

[280] Presumably a Catholic bishop who had held a see in territory belonging to a western power but was driven out when the territory was conquered by the Turks (e.g., Genoa lost Lesbos to them in 1462, Venice lost the Negropont, that is, Euboea, in 1472).

[281] I.e., Job.

[282] Apparently, the second listed in 129A is actually meant.

understood. According to Thomas [*Commentary on Job* on 7:14], "You will terrify me with dreams," refers to the dreams that appear to someone sleeping, while "and with visions" refers to the visions that appear to someone awake when the use of the external senses is appropriated by someone else. For the images of the fantasy formed by daytime thoughts wind up terrifying sleepers. These images worked on Job as the result of an illness of the body, and therefore, since consolation was precluded in every direction, Job thought that there was no remedy by which to escape so many hardships except death, saying, "You will make me bristle in horror." No one doubts that sorceresses too use these methods to harm humans through demons, since the following questions will explain how they use hailstorms to inflict injury in matters of fortune and on the bodies of animals and humans.

The third[283] method of causing harm is in the body and the internal faculties without the deprivation of the use of reason. This is made clear from the sorceresses' | workings. As was discussed above, they so inflame 129C
the minds of humans with unlawful desirings that they must necessarily run over long stretches of the earth to their girlfriends, even at nighttime, being greatly ensnared through the poison of carnal love.[284]

What is said to have happened in the town of Marburg in Hesse to a certain person under assault who was also a priest can also be cited. When the demon was asked in exorcisms for how long he had been inhabiting the priest, he is said to have answered, "Seven years." When the exorcist retorted, "Since you have harassed him for barely three months, where were you during the rest of the time?" he answered, "I hid myself in his body." When the exorcist asked, "In what part of the body," he answered, "In the head for the most part." Asked once more where he had been when the priest was celebrating Divine Service and ingested the Sacrament, he said, "I hid under his tongue." The exorcist asked, "Wretch, what rashness kept you from fleeing in the presence of your Creator?" and the demon said, "Can't an evil man hide under a bridge while | a holy man passes overhead?" With the additional working of 129D
God's Grace, the priest was freed, it being unclear whether the story he told was true or false, since his father is also a liar.

The fourth[285] method is ascribed with the following explanation to the possessed priest who was freed at Rome. Because the demon could

[283] Again, the second is meant.
[284] Similar language (reminiscent of that of the much-cited Canon "*Episcopi*") is used in an anecdote in 115A; otherwise Pt. 1, Q. 7 (46A–52B) is meant.
[285] As laid out in 129A.

slide into the body (and not into the soul, since this is possible for God alone), he does slide into the body, though not within the boundaries of the essence of the body. This, I say, explains how demons sometimes inhabit humans in substance.

They take away the use of reason only temporarily. This is explained as follows. We can say that the body has two sorts of boundary, one of mass and one of essence, and hence when any angel, whether good or evil, works within the boundaries of the body, he works within the boundaries of the body's mass.[286] This is how he slides into the body when he works on the faculties of the mass. This is also how good angels
130A work visions of the imagination in good people. | They are never said to slide into the essence of the body, however, either as a part or as a virtue, because they do not have these powers. They do not do so as a part because there is a different essence in each case, and they do not do so as a virtue that, so to speak, gives being, because it has its being through being created by God. Hence, God alone controls the internal working and preservation of the essence for so long as it pleases His piety to preserve it. Therefore, it is concluded that when they work all the other perfections or defects (perfections referring to good people and defects to evil ones), if they do so on the body or its parts, for instance the head, they slide into that body over the boundaries (those of the mass and the faculties of the mass).

If they work on the soul, once again each sort of angel does so outside, but in different ways. They are said to work on the soul by showing the images of fantasy (pictures) to the intellect, and not merely to the judgment of the common sense and of the external senses. What results from
130B these workings are temptations at the hands of evil | angels, and indirectly evil desirings and thoughts through their working on the intellect. What results from good angels, on the other hand, is enlightenment of the images of the fantasy in order that the person should recognize what the angels reveal. Hence, there is also the distinction that good angels can in fact make a direct impression on the intellect through enlightenment of the images of the fantasy, while evil angels are said not to enlighten the images of the fantasy but to darken them. Also, they cannot make a direct impression, but only an indirect one, to the extent that it is

[286] Underlying this idea is the parallel between the soul and the "form" (see n. 118). Like a form, the soul is what gives the physical material of a body its "essence" or defining characteristic, which is its life. But while a form is something of an abstraction, the soul is thought to reside in some way inside the body, existing within the body's essence but not its "mass" (physical material).

necessary for someone to view the images of the fantasy when understanding them with his intellect.

These statements show that not even a good angel is said to slide into the soul, though he enlightens it, just as a higher angel is also not said to slide into the lower one, though he enlightens him. Instead, he merely works on it and with it from the outside in the manner mentioned.

In this way the demon occupied the priest's body in three respects. First, just as he could slide into his body (within the boundaries of the mass), he occupied his head | by inhabiting it in substance. Second, just 130C
as he could work on his soul from the outside by darkening his intellect so that he lost the use of reason, he could harass him in terms of the loss of reason without respite and without anyone being able to make an interruption, although it can also be said that by the gift of God the priest had the privilege of not being harassed by the demon without respite. Third, although he was deprived of all the appendages and organs used for speaking and forming words, he was always aware of the words, though not of their sense. This method of assault differs from the others in that it is commonly read that those under assault are afflicted by the demons without respite, as is clearly the case in the Gospel with both the madman whose father said to Jesus, "Lord, take pity on my son because he is a madman and suffers terribly" (Matt. 17[:15]), and the woman who had been hobbled by Satan for eighteen years and was bent over without being able to look up at all (Luke 13[:11]. | There is no doubt 130D
that with God's permission the demons can also harass in these ways at the insistence of sorceresses.

[Note on Sources
Major identified sources for Ch. 10:
Aq., *Sent.* 2.8.1.5
Nider, *Ant Hill* 5.11]

## the method by which they can inflict every kind of illness (in general terms about the more serious illnesses)

### Chapter Eleven

IN addition, that there is no bodily illness that cannot be inflicted by sorceresses with God's permission, including even leprosy or epilepsy, can be proven by the fact that the Doctors do not make an exception for any kind of illness. If the discussions above about both

the virtue of demons and the evil of sorceresses are carefully examined, this proposition is subject to no difficulty. In both his *Praeceptorium* [1.11.15–16] and his *Ant Hill* [5.3], Nider asks whether sorcerers can really harm humans with their acts of sorcery (this question lacks an exception for any illness, however incurable) and after giving the answer that they
131A can, he then asks by which methods | and with what things they can do so. As to the first, he gave the answer that was explained above in Question One[287] of Part One of the treatise. This is also proven by Isidore, when he describes the workings of sorceresses: "They are called sorcerers ["evildoers"] because of the enormity of their crimes. For they buffet the elements," that is, by the work of demons, "to stir up storms, throw the minds of humans into confusion," that is, in the methods discussed above, "impede the use of reason either altogether or by seriously darkening it" (*Etymologies*, Bk. 8, Ch. 9). He adds: "And without the drinking of any poison they kill souls merely through the violence of their enchantment," that is, by taking away the soul. It is also proven by St. Thomas in the *Commentary on Pronouncements* on Bk. 2, Dists. 7 and 8 and on Bk. 4, Dist. 34, as well as by all theologians in common (same passages). They write that sorcerers can in every way cause varieties of injury in humans and their affairs when a demon works with them, and in all these things (property, reputation, body, the use of reason, and life) the demon can only harm or deceive. He means that in
131B those things in which | the demon could cause harm by himself without a sorceress, he can also do so with a sorceress, and indeed in that case he does so with greater ease because the majesty of God is more offended, as was discussed above.[288]

The situation with property is made clear in Job 1 and 2, as was explained above.[289]

The situation with reputation is made clear in the story of St. Jerome. John of Andrea in the *Book on Jerome* relates that the Devil turned himself into the form of St. Silvanus, the Bishop of Nazareth, who was an enthusiastic admirer of Jerome. This demon first began to woo a noblewoman in bed at night and to entice her verbally to debauchery, then he physically importuned her to commit an evil act. When she shouted out, the demon hid under the bed of the woman in the guise of the holy bishop, and when he was found there after a search, with debauched words he lied that he was Bishop Silvanus. The next morning,

[287] 7A–13D.
[288] 126B.
[289] 129A.

after the Devil disappeared, the holy man suffered a very serious loss to his reputation. This disgrace was finally cleared up when the Devil made a confession at the tomb of St. Jerome in a possessed body.

The situation with the body is made clear in the case of the Blessed Job, who was stricken with a very bad sore by the demon, | which is 131C explained as leprosy.

Sigebert[290] and Vincent (*Mirror of History*, Bk. 25, Ch. 37) also recount that in the time of Emperor Louis II in a parish of Mainz a certain demon first threw stones on the houses and struck them as if with a hammer, and then in speaking publicly caused disquiet by revealing thefts and sowing disagreements. Next, he incited everyone against a single man, and he burned down every house where this man was received with hospitality, asserting that everyone was suffering because of the man's sins. In the end, the man had only the fields left for his lodging, and for this reason when the priests were celebrating the litanies, the demon harmed many people by casting stones, even drawing blood. Sometimes he was quiet, sometimes raging, and over the course of three years he kept up these acts until all the buildings in the parish were destroyed by fire.

The situation with harming the use of reason and harassing the internal senses is made clear through the case of the possessed and "stricken," as well as by Gospel stories.

The situation with death and his depriving some people of their lives is demonstrated | (Tobias 6[:14]) by the killing of the seven husbands of 131D the virgin Sarah, who were unworthy of marrying her because of their debauched desire and unbridled passion for her.[291] Hence, it is concluded that while the demons can harm people by themselves, they can do so even more through sorceresses in connection with everything without any exceptions.

When it is asked whether injuries of this kind are to be imputed to the demons or to the sorceresses, it is answered that since demons work through their own direct action in introducing illnesses, the illnesses should be imputed to them in terms of the origin. However, they seek to use the sorceresses to perform deeds of this kind for the dual purpose of despising and offending the Creator on the one hand and of damning the sorceresses' souls on the other. For they know that God is angered more by this method, and He therefore gives them more power to act with savagery. In fact, countless acts of sorcery are committed that the Devil would not be permitted to inflict on humans, if he endeavored

[290] Earlier source cited by Vincent.
[291] See n. 23.

to harm humans by himself, but he is permitted by the just and hidden judgment of God to use sorceresses to inflict them because of the
132A sorceresses' | breach and rejection of the Catholic Faith. Therefore, such acts of sorcery should be secondarily imputed to the sorceresses in just judgment, however much the Devil is the original instigator. Therefore, as for the broom that the woman dips in the water to cause rain by splattering the water into the air,[292] although it does not by itself cause the rain and the woman could not be censured for this, nonetheless, when she does such things as a sorceress as a result of an agreement entered into with a demon, she is rightly blamed, even though it is the demon who causes the rain, because with her bad faith and work she serves the Devil, handing herself over to his allegiance. This is also the case when a sorcerer makes a waxen image or the like to affect someone through sorcery or when a picture appears in water or lead through someone's sorcery. Whatever unpleasantness is inflicted on that image (for instance, a jabbing or any other form of injury) is felt to happen in the person represented by the image (the person affected with sorcery), and thus, although the harm is really inflicted on the image by the sorceress or other person and the demon invisibly harms the person
132B affected with sorcery in the same way, | the injury is justly imputed to the sorceress, since without her God would never permit the Devil to inflict the injury and the Devil would not have undertaken to harm the person by himself.[293]

Since mention has been made of reputation, in which demons can harm humans by themselves without the sorceresses working with them, this could raise a doubt as to whether by themselves demons could give respectable women a bad reputation, so that they would be considered sorceresses. For the demons could appear in the women's guise to affect someone with sorcery, and this could result in such a person gaining a bad reputation, though innocent.

Response. Certain preliminary observations should be made. First, it has been said that the demon can achieve nothing without God's permission, as was explained in the last question[294] of Part One of the

[292] This procedure of folk magic is copied from the source (Nider). In Ch. 15 on causing storms (144C–147A) the only method described is to pour water into a hole and stir it up, at which point the demon then takes it up into the air (146C), and this is the only method mentioned elsewhere (104C, 141D).

[293] An anecdote about exactly this procedure follows in the next chapter (134B–135A).

[294] 81D–85C.

work. It has also been said that less permission is given in connection with the righteous people in the state of Grace than in connection with sinners. Clearly, more things are permitted by God to afflict them than is the case with the righteous, in the same way that the demon has more power over sinners according to the passage, "When a brave man in arms guards . . . " [Luke 11:21]. | Finally, although they can, with God's 132C
permission, harm the righteous in connection with external matters like reputation and the health of the body, nonetheless, because they know that this results in an increase in the merits of the righteous, they make less effort to harm them.

It can be said on the basis of these observations that in this difficulty various considerations can be taken into account. The first is God's permission. The second is the person who is thought to be respectable, since such people are not always in a state of Charity equal to their reputation for respectability. The third is the crime for which the innocent person would have a bad reputation, since it surpasses all other crimes in the world. Hence, it should be said that while by God's permission any innocent person, whether in the state of Grace or not, can be harmed in the matters of fortune and reputation, nonetheless, in consideration of the crime itself and its severity, since sorcerers ["evildoers"] are called this because of the enormity of their crimes according to Isidore (often cited), it can be said that it is not plausible that it can happen that some innocent person gains a bad reputation through a demon in the manner mentioned above. | Again, this is so in several 132D
respects. First, to give someone a bad reputation in connection with vices that are committed without an explicit or tacit agreement entered into with the demon, like theft and brigandage and carnal acts, is something different from defamation concerning vices that cannot in any way be imputed to a human or committed without an explicit agreement entered into with a demon, such as the works of sorceresses, which can be committed only through the power of demons (for instance when humans, domestic animals or the fruits of the earth are affected with sorcery), and hence cannot be imputed to the sorceresses in any other way. Therefore, although the demon could give them a bad reputation in connection with the other vices, it does not seem plausible for him to do so in connection with a vice that could not be committed without the demon.

Also, up until now it has never happened or been found that some innocent person has been given a bad reputation in such a manner

and thus condemned to death because of this sort of bad reputation. Rather, when such a person is in trouble because of a bad reputation, he suffers no punishment apart from the imposition upon him of canonical
133A purgation, as | will be explained in Part Three of the work on the topic of the method of sentencing sorceresses.[295] Although it is stated there that in an instance when the suspect fails in the purgation he should be considered guilty, nonetheless an abjuration[296] would still be imposed upon him before there is a further procedure concerning the penalty appropriate for the relapsed. Since we are bothering with hypothetical situations that have never in fact been perpetrated, no one doubts that God's permission would not permit such things to happen in the future.

Also, and a fortiori, since the protection of angels does not permit the innocent to get a bad reputation in connection with other, lesser accusations like brigandage and the like, it is less likely to permit this. To the contrary, the angel will more vigorously save the person assigned to his care from getting a bad reputation for such crimes.

It is also not valid if someone raises as an objection the deeds of St. Germain, when demons sitting at the table in assumed bodies represented women to the husbands who slept with them, while deluding the guest as if those women were always arriving to eat and drink in their
133B own bodies | (this has already been mentioned).[297] For not even in this case are the women altogether excused. Rather, such things often happen to women, as is noted according to 26, Q. 5, "*Episcopi*."[298] There, such

[295] 228D–230A.

[296] I.e., a formal denial under oath.

[297] The story of St. Germain as recounted in Nider 72A–B. There, St. Germain is visiting a house and is surprised when, after dinner, the table is set with food a second time. When told that the food is intended for "those good women" (for these figures from popular folklore, see 183C with n. 671), he decides to stay up to see who shows up for it. At night, he finds demons at the table and calls the family of the house, who identify them as their female neighbors (interestingly, the form here is feminine, but the version in the *Legenda Aurea*, which is presumably the ultimate source of the story, explicitly states that the demons were in the guise of both male and female neighbors). Germain then has people go to check on these neighbors, who are found to be at home. He then compels the demons to reveal themselves and indicate how they delude the people with such deceptions. Nider himself associates this event with the claim in the Canon "*Episcopi*" that Satan deludes women into imagining that they really ride through the air by convincing them of the reality of the imaginings that he creates in their minds, without stating overtly how exactly the canon relates to the demons pretending to be the neighbors. The story of St. Germain was previously mentioned in 105C, where the discussion of it makes it clear that the author would prefer to believe that the women had in fact left their husbands' sides and been impersonated in their beds by demons, but could not bring himself to reject the legend outright.

[298] Even if one accepts the interpretation that the canon censures women for believing that they fly through the air with Diana and Herodias when in fact they are being deluded in their imaginations by the demons, this seems not to undermine the innocence of the women who

women are censured for thinking, when they are transported merely in the delusion of the fantasy, that they are really transported bodily, although, as was discussed above, sometimes they are in fact carried bodily by demons. No, the present investigation concerns their ability to inflict all other bodily illnesses without exception with divine permission.

On the basis of the previous discussion the conclusion is that they can do so, since no exception is made by the Doctors. Reason must also agree with this, since in other ways demons surpass everything bodily by their natural virtue, as has often been discussed.

Deeds and events discovered by us confirm these conclusions. In connection with leprosy or epilepsy a major difficulty could perhaps arise as to whether they could inflict such illnesses, since illnesses of this kind commonly arise only as a result of long-standing and pre-existing inclinations and defects of the internal organs, but | it has been 133C found that such illnesses have on occasion been inflicted through acts of sorcery.

In the diocese of Basel within the areas of Lorraine and Alsace, a respectable worker uttered harsh words against a quarrelsome woman, and in outrage she replied with threats, to the effect that she would soon avenge herself on him. Although he paid little attention to the threats, the same night he felt that a blister had grown on his neck. With a little scratching and touching, he realized that his whole face and his neck were puffed up and swollen, to such an extent that a fearsome semblance of leprosy appeared all over his body. He did not hesitate, and immediately summoned his friends and the chief magistrates. He told them what had happened regarding the woman's threatening words. He stated that he would die with the confident suspicion that she had inflicted these acts of sorcery on him through the magical art.[299] To make a long story short, she was arrested, exposed to questioning under torture, and admitted the accusation. When the judge asked quite carefully about the method and reason, she answered, "After | that man attacked me 133D with insulting words and I went home raging with anger, an evil spirit

were impersonated by demons in the legend of St. Germain. This strained logic indicates how strongly the author wished to deny any possibility that innocent women could be defamed by demons.

[299] What he meant was that he was willing to make this accusation on the point of death, when he would have to answer for his assertion to God. In the Brixen protocol (see n. 303), it is stated that a female relative of Jörg Spies, whom Helena Scheuberin was accused of having poisoned told the unnamed deponent that she had heard him say at the end of life, "I am for this reason dying, because that woman killed me."

began to ask the reason for my sadness. After I told him the details and kept asking for the ability to avenge myself, he asked, 'What then do you want me to do to him?' I answered, 'I wish that he will always retain a swollen face.' With this, he left and inflicted that illness on the man, exceeding my request. For I had not at all expected that he would smite him with such leprosy." For this reason she was burned to ashes.

In the diocese of Constance between Breisach and Freiburg, a certain woman with leprosy often tells many people – unless she has in the last two years paid off the debt of all flesh[300] – a story that resulted from a similar reason, in this case a dispute that was stirred up between her and another woman. When she left her house at night and started some task in front of the door, a warm wind suddenly blew into her face from the house of the other woman, which was opposite her own
134A house.|She stated that she immediately contracted leprosy, which she still had.

In the same diocese in the territory of the Black Forest, when a certain sorceress was being raised by the executioner from the ground onto the pile of wood prepared for her burning, she said, "I will give you your payment," and with that she blew into his face, and he was immediately stricken throughout his body with fearsome leprosy, surviving for only a few days.[301] Her horrible crimes are omitted for the sake of brevity, since the number of other stories that could be told about these points is virtually countless. We have frequently found that they inflicted epilepsy (the falling disease) on certain people with eggs that had been buried with corpses, especially interred members of their sect. They used additional ceremonies, which should not be related, when they gave the eggs to someone in drink or food.

[Note on Sources
Major identified sources for Ch. II:
Nider, *Praec.* I.II.15, 16]

[300] Presumably, Institoris learned of this event, either directly from the woman or by hearsay, in 1484.

[301] The author seems not to have noticed that this anecdote conflicts with the idea that upon being arrested sorceresses normally lost the power to harm the executors of public justice (86C–87C). In any case, the author is so unaware of any logical problem here that he does not attempt to explain why or how the devil has abandoned the sorceress to be burned alive yet at the same carries out her "infliction" of leprosy upon the executioner (it would undoubtedly be said that the spitting itself does not cause the leprosy, which would be inflicted by a demon in fulfillment of the sorceresses' curse).

THE METHOD BY WHICH THEY INFLICT OTHER QUITE SIMILAR ILLNESSES IN PARTICULAR ON HUMANS

## Chapter Twelve

WHO COULD MAKE AN account of their having inflicted other illness 134B
in the bodies of humans, like blindness or very sharp pains and agonies? Nonetheless, let us bring forward a few of the things which we have clearly seen with our eyes, and which came to the notice of one[302] of the inquisitors.

Once when an inquisition was being conducted into sorceresses in the town of Innsbruck, the following occurrence was related among others.[303] A respectable person who was joined in marriage to a member of the Archduke's retinue testified in the presence of a notary (and so on, according to legal requirement),[304] that when she was acting as a servant to one of the citizens when she was a maiden, it happened that his wife grew weak with a severe headache.[305] A certain woman arrived to heal it and was able to lessen the pain with her charms and certain other practices. "I carefully watched her procedure and saw that | when she 134C
poured water into a dish, the water rose up into another jar contrary to the nature of water." (The woman also used other ceremonies,[306] which it is unnecessary to relate.) "I observed that the headache in the lady was not being lessened in any way as a result of these procedures,[307] and in

[302] No doubt Institoris.

[303] This chapter consists mostly of anecdotes derived from Institoris's disastrous attempt to carry out an inquisition in Innsbruck in 1485. Though the direct records of the proceedings have been lost, a summary (protocol) of the depositions that was drawn up in Institoris's absence has been preserved, and this independent evidence for the stories related here shows that the versions are generally accurate but not entirely reliable in detail.

[304] I.e., a detailed description of the legal requirements for a valid deposition is omitted.

[305] This story was related in the deposition that the wife of Ludwig Wagenstal gave on Oct. 18 1485 against Barbara Hufeysen, one of the eight women accused of sorcery in Brixen. The victim of the headache, Barbara Pflieglin, had employed Wagenstallin as a servant and was herself one of the accused. As will be noted, the version here deviates in detail from the deposition. In particular, the story is recast to portray the husband as being aware of the instrument of sorcery that he shows the servant girl, whereas the deposition seems to indicate that his involvement in the discovery was accidental. On the previous day, Wagenstallin had given a deposition against Pflieglin in which she stated that she harbored suspicions against her because 1) the sorcery that befell her (Wagenstallin) took place in the house of Pflieglin, who neither protected her nor intervened with Hufeysen on her behalf, 2) her husband must have known about the sorcery since he found the bundle, and 3) he had forbidden his wife to be involved in such acts of sorcery with Hufeysen. The inquisitor may also have had in mind the potter who reveals his ex-girlfriend's sorcery to her female victim (135A–C).

[306] Not according to the Brixen protocol.

[307] In the protocol, the procedure did help, and the victim claimed that she felt better in the presence of the supposed sorceress but the pain returned when the sorceress left.

outrage I uttered the following words to the sorceress. 'I don't know what you are doing. You are merely doing superstitious things, for your own benefit.'[308] Then the sorceress immediately rejoined, 'Three days from now, you will tell whether or not they are superstitious,'[309] which the outcome of the situation proved. For on the morning of the third day, while I was sitting and holding a spindle, great pain suddenly attacked my body, first in the internal areas, so that there was no part of the body on which I did not feel terrible jabbings. Second, it seemed to me just as if burning coals were constantly being poured over my head. Third, on the skin of the body from the top of my head to the soles of my feet there would not have been the space of a needle point where there wasn't a blister filled with white pus. I remained like this until the fourth
134D day, wailing amidst these pains and hoping only for death. | Finally, the husband of my lady told me to enter a certain barn.[310] I walked slowly while he led the way until we were in front of the barndoor. 'Look,' he said to me. 'Above the door of the inn there is a piece of a white cloth.'[311] I said, 'I see it well.' Then he said, 'To the best of your abilities, take it away, because you will perhaps feel better.' Then, to the best of my abilities, while I held the door with one arm, I grabbed the piece with the other.[312] 'Open it,' said the lord, 'and examine carefully what is placed in it.'[313] When I undid the piece, I found many things wrapped up in it, in particular certain white kernels resembling the blisters on my body. I also saw seeds and peas, the likes of which I couldn't even have eaten or looked at, along with the bones of snakes and of other animals.[314] I was stunned at this, and when I asked the lord what to do, he said to throw everything into the fire. I did this, and all of a sudden,
135A not after the passage of an hour | or a quarter hour but the very instant that those things were thrown into the fire, I fully regained my prior health."

Many statements were made in depositions against his wife, whom she was serving, and through them the wife was suspected not so much

[308] In the vernacular original preserved in the Brixen protocol, the rebuke was: "The devil take you! The more you use your curse, the more pain she feels" (the German is not entirely clear).

[309] In the protocol, the reply was: "God grant, not three days will pass until the cursing will cause you distress as it does the lady" (again, the German is not entirely clear).

[310] In the deposition, they happened to go to the barn together to deal with the cattle.

[311] In the deposition, his attention was drawn to the bundle by the squeaking of mice.

[312] In the deposition, the husband took the bundle down himself because the servant girl's illness prevented her from doing so.

[313] In the deposition, he opened it himself with a knife.

[314] In the deposition, the bundle contained a yellowish dust like a child's excrement or pus, human hair, and various kernels of grain.

lightly as strongly,[315] particularly because of the great familiarity she had with sorceresses. Hence, it is presumed that she was privy to the placement of the device for sorcery and told this to her husband.[316] Then, after this was revealed in the manner described, the serving girl regained her health.

In addition, as a public indication of the loathing felt for so great a crime, it would be useful to relate another act concerning sorcery inflicted on a certain person (again a female) in the same town.[317] A respectable married woman came and gave a deposition according to the legal requirement (as above). "Behind the house," she said, "I have an orchard. Adjacent to it my female neighbor has a garden. As I was standing at the gate of the orchard one day, I saw that someone was crossing from my neighbor's garden to my orchard and that this was causing damage.[318] While I was complaining and grumbling to myself | 135B about both the crossing and the damage, my neighbor suddenly turned up and asked whether I suspected her. Being terrified because of her bad reputation, I uttered nothing but the following words, 'The steps in the grass show the losses.' Outraged because I was unwilling to get into a legal dispute with her through offensive words, as she perhaps intended, she left grumbling. Though I heard the words that she uttered, I still could not understand them. After a few days, however, a great illness befell me. I had pains in the belly and very sharp agonies from the left side to the right and the other way around, as if two swords or knives were stuck in my chest. Day and night I disturbed all the neighbors with my shouting, and as people gathered from hither and yon to give consolation, it happened that a potter, whose girlfriend in the crime of adultery had been my neighbor the sorceress, also came for a visit. He sympathized with my illness | and left after some words of consolation. 135C The next day, however, he returned hurriedly, and among other words of consolation he stated, 'I will make a test as to whether this illness has befallen you as a result of sorcery, and if this is found to be the case, I will restore your health.' As I lay in bed, he took some molten lead and poured it into a dish full of water, supporting it over my body. When a certain

[315] "Light" and "strong" are technical legal terms for varieties of suspicion; see 221A–222D.

[316] Since sorcery is thought to be an activity of illiterate peasants (see 91C), it is here presumed that Pflieglin, who was wealthy enough to employ a servant, did not engage in the sorcery herself and hence needed to secure the services of some lower-class confederate to inflict the sorcery.

[317] This anecdote derives from the deposition made on October 17, 1485 by Gertrud Rötin against Barbara Selachin.

[318] The deposition indicates that the footprints were seen only sometime after they had been made. Presumably, the change to the present version is motivated by the idea that sorceresses intentionally cause trouble with their neighbors as part of the pact with the devil (see 201C).

image and the shapes of various things appeared from the hardened lead, he said, 'Look! This illness befell you as a result of sorcery. Some of the devices for sorcery are kept underneath the threshold of the door of the house. Let's go there, and after they are removed, you will feel better.' So, my husband and he went together to remove the sorcery. When the potter lifted the threshold, he told my husband to put his hand into the hole that appeared and take out whatever he found, which he did." First, he removed a wax image a palm's length long. It was pierced through
135D everywhere, | having two needles going from side to side in the same way that she felt jabbings from the left side to the right. He then found various pieces of cloth containing very many things consisting of kernels as well as seeds and bones. "When those things were thrown into the fire, I did get better, but not entirely. Although the agony and jabbings have stopped and the desire to eat has returned, down to the present day I have not by any means been restored to my previous health. When I demanded that the potter tell me why my previous health did not return, he answered, 'There are other devices hidden elsewhere, but I am unable to find them.' When I asked how in that case he had learned the location of the first items, he answered, 'I learned these things from the love by which one friend reveals secrets to another.' Therefore, since he was wooing an adulteress and I knew that this was my neighbor, I had grounds to suspect her."

136A What if I wanted to relate the individual events that were discovered in just that one town? A book would certainly have to be written. How many people who were blind, lame, barren and stricken with various illnesses gave testimony according to the legal requirement on the basis of a strong suspicion about sorceresses who foretold illnesses of this kind to them in general or particular! The sorceresses said that they would soon feel such ailments, either for all the days of their lives or until the death that they would promptly feel, and everything turned out according to the information from the sorcerers, in terms of either the specified illness or death of others. That land is full of vassals and men-at-arms, and free time breeds vices. They sometimes wooed women and then decided to abandon the ones they had wooed and marry respectable women, and then, when the girlfriends realized that they had been rejected, the bed of marriage seldom lasted without the exaction of vengeance through the infliction of sorcery on the husband or wife, which does not happen to the husbands so much as it does to the wives.[319] The pious

[319] See 94C for a detailed discussion of how being jilted causes women to become involved in sorcery.

conjecture would be that the reason for this is that once the wives have been killed or rendered barren, | the men would have to woo their prior 136B girlfriends.

When a cook of the Archduke had taken a respectable foreign woman as his wife, his sorceress girlfriend foretold sorcery and death for the young girl in the hearing of many respectable people on a public street. Stretching forth her hand, she said, "You will not rejoice in your husband for long." Straightaway, she took to bed the next day and paid off the debt of all flesh a few days later, bearing witness in her final moment, "Behold, I die stating that that woman is killing me through her acts of sorcery with God's permission."[320] God clearly arranged another wedding for her, a wedding for the better in heaven.

In this way, as public repute attests, a certain knight was killed by acts of sorcery, as were many others whom I refrain from mentioning. Among these is a certain nobleman's son. His girlfriend asked him to spend the night with her, but he did not want to and indicated to her through his servant | that he could not spend that night with her because 136C he was held up by certain business affairs. In outrage, she gave an order to the servant, saying, "Tell the young nobleman, he will not distress me for long." With this, he did fall ill the following day and was buried a few days later.

There are also such sorceresses as know how to affect judges with sorcery merely through the look of their faces and the glance of their eyes, boasting that the judges cannot even inflict any bother on them.[321] Also, they know how to impose silence when any others have been kept under arrest because of criminal accusations and are exposed to the most severe tortures to make them tell the truth.[322] The result is that it will never be possible for them to reveal their crimes.

In addition, there are those who, in order to commit acts of sorcery, have disgraced with the vilest words the Purity of the Most Glorious Virgin Mary and the Nativity of Our Savior from her inviolate womb, as they struck the image of the crucifix with whips and knives.[323] It would not be useful to relate these words and the individual acts, since they

[320] For the sense of this assertion, see n. 299.

[321] Cf. 214A–B.

[322] For the "sorcery of silence," see 210C.

[323] This information derives from depositions given by several witnesses on August 16 and 18, 1485 against a baptized Jewish woman named Ennel Notterin and two others. They were accused of having whipped a "martyr image" (*Martyrbild*) of Jesus and of having uttered "many wicked words" against God about five years previously.

are extremely offensive to the ears of the pious.[324] They have, however, been set down and recorded in documents, including the way a certain
136D baptized | Jewess persuaded other young women to act. One of them was called Walpurgis,[325] and when, in her final moment, she was urged by the bystanders to confess her sins, she shouted out, "I have handed over my body and soul to the Devil, and have no hope of forgiveness." With that, she died.

These details have been written down not to disgrace the most illustrious Archduke but to praise and glorify him. As a Catholic prince who is especially zealous for the Faith, he has in fact made no small efforts in the extermination of sorceresses, with the assistance of the most reverend Bishop of Brixen. Instead, these stories have been related as a public indication of the loathing and hatred felt for so great a crime. In that case, how can those who do not cease to avenge the injuries to men tolerate injuries to the Creator and the insults to the Faith (temporal losses being
137A left out of account)? For | the thing that forms the principal foundation for all of them is the rejection of the Faith.

## THE METHOD BY WHICH MIDWIFE SORCERESSES INFLICT GREATER LOSSES WHEN THEY EITHER KILL BABIES OR OFFER THEM TO DEMONS BY DEDICATING THEM WITH A CURSE

### Chapter Thirteen

137B NOR SHOULD | THE INSTANCES of harm inflicted by sorceress midwives on children be passed over in silence. First, how they kill them; second, how in offering them to demons they dedicate them with a curse.

In the town of Zabern in the diocese of Strasburg, a certain respectable woman who is very devoted to the Most Blessed Virgin Mary frequently relates the following occurrence, recounting to the individuals who patronize the public inn that she owns (which has a black eagle as its sign)[326] that it happened to her. "I was pregnant by my lawful husband, who is now dead, and when the days for giving birth were approaching,

[324] "May you feel pain in your senses as Mary felt in her 'notch' [a euphemism for "vagina"], when she bore Jesus." These words are ascribed to the baptized Jewish woman, but the identity of the addressee is not specified.

[325] Not to be confused with the Walpurgis mentioned in 99C.

[326] In the Middle Ages, inns were known by symbols portrayed on signs.

a certain midwife rudely demanded that I should accept her services as midwife for the child. Being aware of her bad reputation I had decided to hire someone else, but with soothing words I pretended that I would grant her request. | When the birthing time was at hand, however, I 137C
hired a different midwife. The first one was outraged and entered my bedroom one night barely eight days later with two other women. When they approached the bed in which I was lying, I wanted to summon my husband, who was sleeping in another room, but I remained bereft of the use of my individual limbs and tongue, so that apart from seeing and hearing I could not even move a toe. Standing between the other two, the midwife uttered the following words. 'Well then, this awful woman's refusal to employ me as her midwife will not go unpunished."' When the two at her side pleaded for the woman, saying, "But she's never harmed any of our people," the sorceress rejoined, "She has given me this displeasure. I will put some things in her guts, but as a favor to you she will feel no pain for a half year. When that time has elapsed, however, | she will suffer a fair amount of torture." "So she came up 137D
and touched my stomach with her hand, and it seemed as if she had torn out my guts and put in certain things, though I wasn't able to see them. After they left and I regained the strength to shout, I immediately called my husband and told him what had happened. He wished to ascribe the cause to childbirth, however, saying, 'You women in labor are bothered by very many delusions and fantasies.' Since he was completely unwilling to believe my words, I replied, 'Well, she's granted me half a year. If no pain comes after that time has passed, I will believe what you say."' She then said similar things to her son, a cleric who at that time was a rural archdeacon (he had come to visit her that day). To make a long story short, after six months to the day had passed, she suddenly suffered such savage torture in the guts | that she could not 138A
stop screaming, disturbing everyone day and night. Being very devoted, as has already been stated, to the Virgin Queen of Mercy, she fasted on bread and water every Sunday, believing that in this way she would be freed by her help. Then one day, when she had to carry out her bodily functions, all that filth burst forth from her body, and after calling her husband and son, she said, "Do these things belong to my fantasy? Didn't I say, 'After a half year the truth will be known'? Or has anyone ever seen me eat thorns and bones along with pieces of wood?" For rose thorns a palm long had been put inside of her along with countless other things.

Furthermore, as was made clear in Part One[327] of the work from the confession of the serving girl who was induced to repent in Breisach, greater losses are inflicted on the Faith by midwives in connection with this Heresy of Sorceresses, and this has also been proven by the confession
138B of certain others who were later burned to ashes. | In the town of Thann in the diocese of Basel one midwife who was burned to ashes confessed to having killed more than forty children by the following method. When they emerged from the womb, she would stick a pin into their heads through the crown straight down into the brain.

Another midwife (this one in the diocese of Strasburg) confessed that she had killed countless children (there was no agreement as to the number). She was caught in the following way. She had been summoned from one town to another to serve some woman as midwife, and at the end of the job, she wished to return home. As she passed out through the town gate, by chance the arm of a newborn child fell to the ground from the linen cloth in which she was wrapped and in which the arm had been rolled up. This was seen by people sitting within the gateway, and after she passed, they lifted what they thought to be a piece of meat from the ground and looked at it quite carefully. After they realized by
138C the joints that it was not a piece of meat but the arm of a child, | they had a meeting with the chief magistrates. When it was discovered that a baby had died before baptism and was lacking an arm, the sorceress was arrested. Exposed to questioning under torture, she revealed the crime. In this way, as has already been said, she confessed that she had killed babies without number.

As for the reason why, it clearly should be presumed that they are sometimes forced to do such things against their will at the insistence of evil spirits. For the Devil knows that such children are excluded from entering the Kingdom of Heaven because of the penalty of loss or original sin. Hence, the Final Judgment, in which they[328] will be consigned to eternal torments, is further postponed, since the world will be ended when the number of the Elect is reached and that number will be reached all the more slowly.[329] Also, as was discussed in the foregoing,[330] at the

[327] Presumably, the vague reference in 64A–B is what is meant, though the related statement in 97B is probably what is intended.

[328] I.e., the demons.

[329] For other references to this notion, see 97C (with 214D), 211D (cf. 97A). The underlying idea is that unbaptized children are not allowed into heaven and that by reducing the number of people admitted to heaven, Satan postpones the end of the world. This notion is to be connected with the idea in the Author's Justification (2A) that Satan's evil is becoming worse as the world nears its end.

[330] 104A.

urging of the demons, the sorceresses have to make pastes suitable for their uses out of the limbs of such children.

Another reason not to pass over this horrific deed in silence is to give a public indication of the loathing felt for so great a crime. Even when they do not kill babies, they offer them to the demons by devoting them with a curse in the following manner. | At the birth of the child, 138D in an instance where the woman in labor is not herself a sorceress, the midwife takes the baby out of the room as if to do something to revive him, and raising him up she sacrifices him to the Prince of the Demons (Lucifer) and to the other demons (in the kitchen above the fire).

As a certain man relates, he noticed at the birthing time that contrary to the usual habit of women lying-in, his wife would permit no woman to come in to her except her own daughter, who was performing the job of midwife. For this reason, he wished to find out the reason for something like this and secretly hid in the house at that time. Then he observed the procedure for the sacrilege and the sacrifice to the Devil in the manner stated above. He also observed, as he thought, that the baby was being held up by means of a strap for hanging containers, supported not by human assistance but by that of the Devil. Being upset, since he had also heard both the horrible words | used to invoke the demons and the 139A other most unspeakable rites, he insisted urgently that the baby should be baptized immediately. The baby had to be brought to another village, which was where the parish church stood, and when they had to cross a certain river by bridge, he lunged with drawn sword at his daughter, who was carrying the baby. He said in the hearing of two men whose assistance he had enlisted, "I don't want you to carry the baby over the bridge. Either he will walk the bridge by himself or you will be drowned in the river." She was terrified at this, as were the other women present. When they asked whether he was in his right mind – all the others, with the exception of the two men whose assistance the father had enlisted, were unaware of what had happened – he said, "You horrible woman, by your magical art you made the baby climb the rope. Now too make him cross the bridge without anyone carrying him or I will drown you in the river." Under this compulsion, she put the child on the bridge, and when she invoked the demon by her art, the baby was suddenly seen on the other side of the bridge. After the child was baptized | and the father returned 139B home, he could now convict his daughter of sorcery through witnesses, since he could hardly have proven the first crime of the offering, being the only witness to that sacrilegious rite. Therefore, after the time of

churching[331] he accused his daughter and her mother before a judge. They were burned to ashes together, and the crime of the sacrilegious offering, which is commonly performed by midwives, was revealed.

At this point a doubt arises as to what work or effectiveness this sacrilegious offering can bring about in such children. To this it can be said that just as the demons bring these things about for three reasons, they serve three very unspeakable purposes for the demons. The first is their arrogance. This is always rising according to the passage, "The arrogance of those who hate you is always rising" [Ps. 73:23], and for this reason they strive, to the best of their ability, to conform with Divine Service and ceremonies, so that in this way they will be more deceptive under the guise of an apparent good.[332] This is why they ask
139C magicians for virgin children, whether male or female, when | they[333] are able to reveal in mirrors or fingernails of sorcerers things that have been stolen or other hidden items.[334] They would be able to show the same thing through corrupt people, but the Devil does it this way so that he may falsely pretend that he loves chastity. In fact, he hates it, since he hates most of all the Most Chaste Virgin because she trampled on his head (Gen. 3[:15]).[335] Hence, in this way they deceive the souls of sorcerers and those who trust them through the vice of lack of faith under the guise of virtue. The third purpose is to promote the growth of this breach of the Faith in furtherance of their own interests by preserving sorceresses who have been dedicated to them from the cradle.

As a result of these purposes, this sacrilegious offering achieves three things in the child. First, it is the case that an external offering is made to God in perceivable things, like wine, bread and the fruits of the earth. (This is a token of due submission and honor according to the passage,

[331] See n. 20.

[332] The effort to conform with ecclesiastical rites in order the better to deceive is apparently the second reason, though this is not overtly stated.

[333] I.e., the demons (see next note).

[334] A common practice of folk magic was to look into a reflective object in order to see the location of something hidden. In some versions of this superstition, it was thought best to have someone pure like a virgin to do the looking. For the procedure, see Kiekhefer (1997), 96–122.

The sense of this sentence has been somewhat obscured through adaptation. Nider merely discussed the questions of "objects that virgins see in the mirrors or fingernails of sorcerers," and of why *sorcerers* prefer to make use of virgins for this purpose. The author apparently felt compelled to spell out that the demons (here somewhat confusingly designated simply as "they") ask for virgins in order to perform their feat.

[335] This is a reference to God's judgment on the serpent for bringing about the fall of Adam and Eve through tempting Eve. Among other things, she was to trample upon the snake's head, and this is interpreted here in an allegorical manner, the serpent being taken to be a form of the Devil and the woman who tramples upon him to be the Virgin Mary.

"You will not appear empty-handed in the sight of the Lord your God" in Ecclesiasticus 25 [actually, 35:6]. Such things should not and cannot later be used for any other, profane purposes, and for this reason Pope Damasus says (10, Quest. 1, [*Decretum* 2.10.1.15]) that offerings that are made within the church belong only to the priests, | with the provision 139D that the priests should not simply use them for their own benefit, but should faithfully expend them partly on the things pertaining to Divine Service and partly for the benefit of the poor.) Hence, as for a child who has been offered in this way to the Devil as a sign of submission and honor being used for the divine purposes of just and fruitful submission both on his own behalf and on that of others, how is it possible for this to be done by Catholics?[336] For who can say that the crimes of mothers or the sins of others cannot redound upon the children in terms of punishment? Perhaps the man who pays attention to the prophetic saying, "The son shall not carry the iniquity of the father" [Ezekiel 18:20] can. But what of the passage, "I am a jealous god, visiting the sins of the fathers upon the children down to the third and fourth generation" (Exodus 20[:5])? The sense of the two passages is that the first is understood in terms of spiritual penalty in the judgment of heaven (God) and not in the judgment of a court, and this is a penalty that fundamentally affects the soul, whether it is a penalty of loss, like the removal of glory, or a penalty of the sensation, | that is, the fire of torment in hell (it is always the case that a person 140A is punished with these penalties only through his own guilt, either one contracted in terms of Original Sin or one committed in terms of sin by act), but since the second authoritative passage is understood to concern the imitators of the crimes of the fathers, as Gratian explains (§ "*Quibus*" at end of the Commentary on 1, Q. 4 [*Decretum* 2.1.4.11 Comm. §11], where he also gives other explanations), a person is punished with any other penalties in the judgment of God not only for his own guilt, whether he has already committed it or is going to later (in order for it to be avoided) but also for someone else's instance of guilt.[337] It is not valid if it is said that in that case he is being punished without reason and without guilt, which ought to be the reason for a penalty, since according

[336] The rhetoric of this sentence rather obscures the thought, but the sense is that if a baby has been dedicated to Satan by his mother or a midwife, he can no longer be of any use for pious purposes because of God's retribution (for the adult's crime, as the subsequent text shows).

[337] Actually, what Gratian says is that it is true that in certain incidents in the Old Testament children seem to be punished along with their parents, but he claims that this was only if they adhered to their parents' criminality, and that if they gave up their parents' evil ways, they would receive God's mercy. Thus, Gratian does not seem to support the interpretation here.

to the rule of the law no one should be punished without guilt unless there is an underlying reason [*Liber Sextus* 5.12]. Hence, we can in fact say that there is always an underlying reason, indeed a very just one, although it is unknown to us (Augustine in 24, Q. 4, [actually, *Decretum* 2.23.4.24.Comm.§3]: "Even if we cannot penetrate the depths of God's judgments with reference to the commission of the deed, we still know that what He has said is true and that what He has done is just.").[338]

140B There is a distinction in connection with children who are offered. | Speaking of the innocent, who are not offered to the demons by sorceress mothers but are secretly snatched away by midwives, as was stated above,[339] from the embrace and womb of a respectable mother, it should be the pious belief that such innocent children are not delivered to such a degree that they are rendered imitators of such great crimes but instead imitate their father's virtues.

The second thing achieved by this sacrilegious offering is that the sorceress offering the child commends its body and soul to the Devil as if to its beginning and end, an end that is eternal damnation in the same way that when a person offers himself to God as a sacrifice, he recognizes God as his beginning and end, creation being the beginning and glorification the end. (This kind of sacrifice is more worthy than all other external sacrifices made by him according to the passage, "A sacrifice to God is a spirit in tribulation. Do not despise, O God, a heart

140C contrite and humbled" [Ps 50:19; Eng. version 49:17].) Hence, | it will be possible for the child to be freed from the repayment of so great a debt only by a miracle.

A certain story, or rather many, are frequently told about children unwittingly offered to demons from the womb by their mothers as a result of some violent emotion and mental disturbance. It was only with the greatest difficulty that they could be freed in adulthood from the jurisdiction that the demons usurped for themselves with God's permission. It is well known that the *Book of Examples of the Most Blessed Virgin Mary* is filled with such stories. One in particular concerns the man who could not be freed from the harassments of demons by the Supreme Pontiff. Eventually he was sent to a certain holy man living in the East, and even then it was with the greatest difficulty that he was rescued from that jurisdiction through the intervention of the Most Glorious Virgin. Hence, if this happens as revenge for an unwitting presentation (not to say "offering"), when the mother is outraged at

[338] Cf. Apoc. 16:7, 19:2.
[339] 138D.

having to present carnal union to her husband, and after he says, "I hope fruit results from that," | she replies, "May that fruit be given to 140D the Devil," the severity of God's punishment was clearly equal to the savagery with which He is thought to act, when the offense to God's majesty is clearly so great.

The third thing achieved by this sacrilegious offering is the habitual[340] inclination to inflict acts of sorcery of this kind on humans, domestic animals and the fruits of the earth. The reason for this can be assigned on the basis of the conclusions reached by Thomas (*Second of Second*, Quest. 108 [2/2.108.4.Ra1] about the secular punishment by which some people are punished for instances of guilt on the part of others).[341] He says that because children are a certain kind of property of the father in their body and slaves and animals are the property of their owners, when someone is to be punished in all his property, the children too are often punished for their parents. This reason differs from the one mentioned above[342] concerning the sins of the fathers (that God visits them unto the third and fourth generation), because, as stated there, this is understood in terms of the imitators of the fathers' crimes, | while 141A the present reason reaches its conclusions about the punishment of the children for the parents when they imitate the fathers' crimes not in action through evils deeds but only in habitual attitude. This is why the son born of David's adultery died immediately, and the animals of the Amalekites were ordered to be killed, although there is also a mystical reason in events of this kind, as is stated in Gratian, § "*Parvulos*" of his Commentary on 1, Q. 4, Ch. 11 [*Decretum* 2.1.4.11. Comm. § 10].[343]

On the basis of all these facts, it is not inappropriate to say that children of this kind are disposed to commit acts of sorcery until the end of their lives. For it is clear that since the Old and New Testaments the Devil has not ceased to taint an offering to him in the same way that when parents dedicate to God the progeny they are to beget, God sanctifies the offering to him, as the deeds of the Saints demonstrate. The number of deeds that could be cited is virtually countless. This is how many Patriarchs and Prophets, like Isaac and Samuel, and how Alexius, Nicolaus and countless others, were assisted to a saintly way of life by very many acts of Grace.

[340] See Pt. 1 n. 370.

[341] Actually, the heading to this article is, "Whether punishment is carried out against those who have sinned involuntarily."

[342] 139D.

[343] Actually, Gratian does not say this.

141B Experience shows that the daughters | of sorceresses always have a bad reputation in similar regards, being imitators of their mothers' crimes, and that in fact virtually the entire progeny is tainted. The reason for this and for all the foregoing is that as a result of the agreement entered into with the demon they must always leave behind a successor and strive with the greatest effort to increase this breach of the Faith. How could it have happened that immature girls of eight or ten years, as has very often been found to be the case, stirred up storms or hail if the mother had not dedicated the baby to the Devil with a curse in such an offering as a result of such an agreement? For by themselves children could not, as a result of a renunciation of the Faith, achieve such effects in the ways that grown-up sorceresses are able to do from the beginning, since they probably have no awareness of any Article of the Faith.[344]

Let us bring forward some of these deeds. When a certain peasant in the region of Swabia decided to inspect the crops in the fields with
141C his little daughter, who was barely eight years old, | in silent thought he hoped for rain because of the dryness of the earth and said, "Oh, no! When will the rain come?" The girl heard her father's words, and out of the simplicity of her spirit she said, "Father, if you want rain, I will make it come quickly." The father asked, "Where did you get this ability? Do you know how to cause rain?" She answered, "Certainly, and not just rain. I also know how to stir up storms and hail." The father asked, "Who taught you?" She answered, "My mother. It is true that she told me not to tell this to anyone." When then the father asked, "And how did she teach you?" she answered, "She entrusted me to a master, and I can get him at any time for any request I want." When the father asked, "Did you see him?" she answered, "I have sometimes seen men going in to mother and coming out." When he asked who they were, she answered, "Our masters, to whom she also turned over and entrusted you. They are great helpers and rich men." Terrified, the father asked whether she could summon hail at that moment, and the girl said, "Certainly. If I
141D get a little water, I will." | The father then took the girl by the hand to a flowing stream and said, "Do so, but only on our field." The girl put her hand in the water and in the name of her master moved it according to the teaching of her mother. All of a sudden, rain poured over that

[344] The thought seems to be that sorcery necessarily involves demons, who act only after the Catholic faith has been overtly rejected, but children cannot do this since they do not yet know anything about the faith that they can reject. Therefore, on the assumption that children do commit acts of sorcery, the necessary rejection of the faith is attributed to their mothers (which would then be a sort of reversal of the procedure by which the godfather or godmother accepts Christianity on behalf of the baby during infant baptism).

field alone. Seeing this, the father said, "Make hail, too, but only over one of our fields." When the girl did this too, the father, who had now become certain from experience, accused his wife before a judge; after being arrested and convicted, she was burned to ashes. The daughter was baptized anew and dedicated to God, and after that she could no longer produce those effects.

[Note on Sources
Major identified sources for Ch. 13:
Aq., *Summa* 2/2.108.4
Nider, *Praec.* 1.11.2]

## there follows a discussion of the method by which sorceresses inflict various forms of harm on domestic animals

### Chapter Fourteen

WHEN the Apostle says, "Does God care | about oxen?" [1 Cor. 142A
9:9], he means to imply that everything is subject to God's providence, including both humans and domestic animals, and God preserves each of these categories after its measure, as the psalmist says, and the children of humans are clearly guided under the protection and covering of His wings to a greater degree [Psalm 35:7–8]. If, I say, sorcerers afflict humans, including the innocent and righteous and the sinners and parents through their children, who are part of their property, then a fortiori since domestic animals and the fruits of the earth are likewise part of the property of humans, clearly no one would presume to doubt that with the co-operation of God's permission sorceresses can inflict various forms of harm on them too. In this way, Job was stricken by the Devil, so that he lost all his domestic animals. In this way, the smallest village can be found in which women do not cease to taint each other's cows, to deprive them of milk and very often to kill them, though they start with the smallest kind of harm, which one can guess is the deprivation of milk.

If there is a question about the method by which they can achieve this, the response can be given that according to Albert | (*Animals*, Bk. 3 142B
[3.2.9]), in any animal milk works on a monthly cycle like any other flow in a woman, and when such a flow is not restrained by some weakness or as a result of the state of nature or of an incidental illness, it is by

the working of sorcery that it is restrained or sometimes removed. Milk is restrained as a result of the natural state after the conception of a fetus and as a result of an incidental illness, like the many ways that this happens as a result of eating some plant that has the natural ability to restrain milk or to alter a cow.

There are different methods by which they can produce these results through sorcery. During the night-time at times that are more sacred (clearly on the instructions of the Devil to offend God's majesty more greatly), some women take a position in any corner of their house, holding a pitcher between their thighs, and after sticking a knife or some tool into the wall or a pillar and positioning their hands for milking, they
142C invoke their devil. This devil always works with them for all purposes, | and she explains that she is affecting to milk such-and-such a cow from such-and-such a house, this cow being one that is healthier and more plentiful in milk. Then the Devil immediately takes the milk from the teats of that cow and puts it in the place where the sorceress is sitting, as if it were flowing from the tool.[345]

When such things are preached to the congregation, no one receives instruction from them because however much someone may invoke a demon and think that he could achieve these effects through the mere invocation, he would be deceiving himself, since he lacks the fundamental element of that breach of the Faith, that is, he has not rendered homage and denied the Faith.[346] This is why I have set down these statements despite the fact that many think that these facts and others that have been set down should not be preached to the congregation because of the danger of giving instruction, though it is impossible for someone to be instructed in the manner described. Rather, these statements serve as a public indication of the loathing felt for so great a crime, and they should be preached (though not always) in order that judges will be further inflamed to avenge so great a crime (the renunciation of the Faith).
142D The laity do attach greater importance to | temporal losses of this kind, since they are more involved in earthly than in spiritual emotions, and therefore when it is affirmed to them that such things can be done, they are more savage in their desire to punish these people. In any case, one can explain the Devil's cleverness.

[345] Note how a procedure from traditional folk magic is interpreted as form of Satanism.

[346] The point is that even if one knows the procedure in its entirety, it cannot be shown to work without a renunciation of the faith, since without that the demons, who are the ones that actually steal the milk, will not do so (see the statements about the fundamental importance of the renunciation in 137A and 141B).

I know certain people who belonged to a certain association,[347] and once when they were on a journey in May-time, they sat in a pasture by a flowing stream and wished to eat May butter. One of them said in agreement with a pact, whether silent or explicit, that he had previously entered into with a demon, "I will create excellent May butter," and he immediately took off his clothes and entered the flowing stream. Not sitting but standing, he turned his back against the current, and in the sight of the others, he first uttered certain words and moved the water with his hands behind his back, and then after a little while he brought them a large amount of butter shaped in the way that village women sell it in May time. When the others tasted it, | they affirmed that it 143A
was excellent butter. From this event it can first be inferred that he was certain of his procedure, and that the reason why he knew that the Devil would attend to his prayers was either simply because of the explicit agreement that he had, as a sorcerer, entered into with the demon or because of a silent agreement. If the first is the case, then his having been a real sorcerer needs no discussion. If the second is the case, however, he made use of the Devil's support, because he had been offered and dedicated to the Devil with a curse by his mother or a midwife. If someone objects that perhaps the Devil brought the butter without any silent or explicit agreement and also without any offering having been made in the way described above, the response is that it is never the case that someone makes use of the Devil's support in similar works without invoking him, because someone does so by the very act of seeking a demon's aid in violation of the Faith, as an apostate does according to the determination of the Doctor in the *Commentary on Pronouncements* (Bk. 2, Dist. 8 on the difficulty as to whether it is apostasy to make use of the aid of demons [actually, 2.7.3.Ag2]). | Although Albert the Great 143B
[*Sent.* 2.7.12.Sol.] agrees with the other Doctors, he says more overtly that in such cases there is always apostasy either by word or by work. If invocation, summoning, incense-burning and adoration take place, then an open agreement is being entered into with the demon without someone handing over his body and soul in whole or in part along with a renunciation of the Faith, because by the very act of invoking the demon he already commits open apostasy with the words. If, on the other hand, an invocation takes place not through words but only through the simple work, in that he performs the kind of work that can be brought about only through the assistance of demons, then whether he performs it by

[347] The Latin merely says "people in a certain fellowship," and the sense of this is by no means clear. Perhaps they were all "fellows" in some educational institution.

starting in the name of the Devil or through other unknown words or without any word but with such an intent, then it is, as has been said and as Albert adds, apostasy by work. Since it is an insult to the Faith to expect something from a demon or to learn something through him,
143C it is also apostasy. Hence, here too the conclusion reached is that | by whatever method the magician mentioned above caused this, he clearly did so through a silent or explicit agreement, and if he did so without an explicit agreement, then in that case he probably achieved such effects, as sorcerers regularly do, through a silent and secret agreement entered into either by his own action or by his mother or a midwife. (By "by his own action" I mean that he only performed the work, expecting the effect from the Devil.)

The second thing that can be inferred from that procedure or a similar one is that since the Devil cannot produce new appearances[348] of things, the fact that natural butter so suddenly bursts forth from water did not happen through the changing of the water into milk by the demons' virtue. Rather, the demon took butter hidden elsewhere and put it in the man's hands, or he offered it to him after taking it from natural milk (from a natural cow) and suddenly (so to speak) congealing it into the nature of butter, since he knows how to achieve in a very short time what the art of women achieves over a stretch of time in forming butter.

To the same procedure is ascribed the method by which certain super-
143D stitious people who do not have wine or other | necessities take a bottle or other container at night-time and by walking down some road suddenly have a jar full of wine. In this instance, the Devil takes natural wine from some jar and fills the bottle for the person.

Concerning the method by which sorcerers kill animals and domestic animals, it should be said that like humans, domestic animals are killed by touch and glance or by glance alone or when sorcerers place some sorcery (device for sorcery) underneath the threshold of the door of the barn or in a place where they are regularly watered. This is how the women burned to ashes in Ravensburg (they will also be mentioned below)[349] were always instructed by the demons to inflict the sorcery where the horses were of superior quality or the domestic animals fatter. When they were asked about the method by which they achieved such effects, the one called Agnes answered that they hid certain things underneath the threshold of the door of the barn, and when asked what

[348] Latin *species*, used in the Canon "*Episcopi*" to describe the new "varieties" into which it is erroneous to think that anyone but God can change creatures.

[349] See 145D–147A.

things, | she answered, "The bones of various varieties of animals." When 144A
further asked in whose name, she answered, "In the name of the Devil and the other demons."[350] The other one was named Anna, and she harmed one of the citizens by affecting twenty-three horses of his with sorcery one after the other, because he was a hauler.[351] Having bought a twenty-fourth and reached the depths of poverty, the hauler stood in the door of the barn and said to the sorceress, who was standing in the door of her house, "Hey, you! I swear to God and His Mother that if that horse dies, I will kill you with my own hands!" Terrified at this, the sorceress left that horse unharmed for him. When she was arrested and asked about the method by which she achieved these effects, she answered that she had done nothing other than dig a hole, and after it was dug, the Devil put into it certain things unknown to her. From this event it can be inferred that they need only apply their hand or glance, the purpose being that either way, the sorceress should work with the Devil. Otherwise, | if the sorceress did not cooperate, the Devil 144B
would not be permitted the ability to act savagely against creatures, as was discussed before[352] (this happens because of the greater insult to the God's majesty).

Shepherds have very often seen certain animals, after jumping three or four times into the air, suddenly fall to the ground and die, clearly through the virtue of demons at the insistence of sorceresses. In the diocese of Augsburg between the town of Füssen and the Eisenberg[353] a certain very rich man stated that he and others had had more than forty domestic animals (oxen and cows) affected by sorcery, and this took place within the space of a year at a time when no plague or other illness preceded. As a distinguishing characteristic he said that when they die of plague or some other random illness, they do not collapse suddenly but gradually, one after another, but this act of sorcery removed all their vigor all of a sudden, so that everyone thought that they had been killed by acts of sorcery. I have written this down as the true number, but I think that he stated a | higher one. In any case, it is very true that in 144C
some areas, especially in the Alps, domestic animals are said to be very much affected by sorcery, a kind of sorcery that is in fact known to be widespread. Other, similar varieties will be discussed below in the

[350] Agnes is quoted as using this same invocation for making a hailstorm in 146C.
[351] Comparison with an earlier story of similar content suggests that what is meant by his being a hauler is that this explains why he kept on buying new horses (see 93A–B).
[352] 126B.
[353] A mountain to the northwest.

chapter on the remedies to be applied against acts of sorcery affecting domestic animals.[354]

[Note on Sources
Major identified sources for Ch. 14:
Eymeric, *Dir.* 2.43
Nider, *Praec.* 1. 11, 12]

## THE METHOD BY WHICH THEY STIR UP HAILSTORMS AND RAINSTORMS AND ALSO MAKE LIGHTNING STRIKE HUMANS AND DOMESTIC ANIMALS

### Chapter Fifteen

NEXT, THAT DEMONS AND their disciples can cause such acts of sorcery in stirring up lightning, hailstorms and rainstorms (the demons receiving the power from God and the demon's disciples receiving His permission) is attested to by Holy Scripture in Job 1 and 2. There, immediately after receiving the power from God, the demon brought it about that the Sabaeans took away five hundred yoke of oxen and five hundred she-asses, that a fire then fell from heaven and consumed seven
144D thousand camels, and finally that his seven | sons and three daughters died when a strong wind made the house collapse (it was always many boys, that is, servants, who died, with the exception of one to announce the event). He also brought it about that the body of the holy man was stricken with a very bad sore and that his wife and three friends caused him great annoyance. Here, St. Thomas says in his note on *Job* [on 1.16], "It is necessary to confess that with God's permission the demons are able to cause a disturbance of the air, to stir up winds, and to make fire fall from heaven. Although in taking up forms, bodily nature obeys neither the good nor the evil angels' bidding but that of God alone, nonetheless bodily nature was born to obey spiritual nature in movement in location. An indication of this is seen in man. By the mere command of the will, which exists in a subjective sense[355] in the soul, the limbs are set in motion to carry out the work arranged by the will. Therefore, whatever things can be done through mere movement in location can be done through natural virtue not only by the good but also by the evil, unless they are

[354] 180D.
[355] See 49C with n. 356.

divinely prohibited. Since wind and rain and other such | disturbances 145A
of the air can be made through the mere movement of vapors released from the earth and air, the natural virtue of a demon is sufficient to cause such events."

For the demons act as His torturers when God justly inflicts the evils that are done in the world, as our sins demand. Hence, the gloss on a passage in Psalm 104 ("He summoned a famine over the earth and beat down the entire basis for the bread") says, "God permits these evils through the evil angels, who are put in charge of such things. Therefore, 'He summons famine' signifies that He summons the angel put in charge of famine."

The notes made on the question[356] of whether sorcerers always have to co-operate with demons in inflicting acts of sorcery could also be cited. There the three kinds of harm are noted, as is the way that the demons sometimes inflict various forms of harm without sorcerers. (The demons prefer to harm humans with the co-operation of sorcerers, since God is more angered by this and hence they are granted a greater ability to punish and to afflict.)

Also relevant are the points raised by the Doctors in connection with *Pronouncements*, Bk. 2, Dist. 6 ("Whether it is fitting that a place has been assigned to evil angels | in the misty air" [2.6.1.3]). The three con- 145B
siderations relating to demons are nature, office and guilt, and just as the empyrean heaven[357] corresponds to their nature and hell to their guilt, the misty air befits their job, since they are torturers and assistants in the punishment of the evil and the training of the good, as was discussed above.[358] The purpose of this is that they should not torment us excessively, which they would do if they lived in the lower world with us. Hence, they know how to attach active to passive elements both in the air and around the fiery sphere,[359] on occasions when they are given permission by God, and cause fire to fall from heaven or lightning bolts to strike.

There is a story in the *Ant Hill* about someone who was under arrest.[360] When asked by the judge how they stir up hail storms and rain storms

[356] Pt. 1, Q. 2 (13D–20B).

[357] In the scholastic conception of the universe, "empyrean heaven" was the term for this outer sphere, which was taken to be the location of heaven.

[358] 112B.

[359] In the version of scholastic cosmology underlying this passage, it is held that below the lowest "heavenly orb" (that of the moon), the four elements each had a sphere, that of fire being highest, which presumably means that the "misty air" which was the site of the demons' prison was directly under the lunar orb, that is, it was at the highest level of the sublunar world.

[360] This story is told by Nider about the man named Stadlin mentioned above (87B).

and whether it was easy for them to cause them, he answered, "It is easy for us to cause hailstorms, but we are not able to inflict harm at will" (note the protection of good angels). Then he added, "We can harm only those who are bereft of God's help, and we cannot harm those who protect themselves with the Sign of the Cross. Our method is as follows. First, in the field we use certain words to beseech the Prince of All
145C Demons | to send one of his subordinates to strike the person indicated by us. Then, when a certain demon comes, we sacrifice a black rooster to him at a crossroads by casting it up into the air. Having accepted it, the demon obeys and immediately stirs up a breeze. Yet, he does not always cast the hailstorms and lightning bolts into the places intended by us, but does so according to the permission of the Living God."

There is a story in the same source about a certain instigator or rather heresiarch of sorcerers called Stafus.[361] Residing in the territory of Berne and in adjacent places, he dared to boast publicly that whenever he wished, he had the ability to make himself like a mouse in the sight of his rivals and elude the hands of his mortal enemies, and that he had in fact quite often escaped from their hands in this way. When God's justice wished to put an end to his evil, however, his enemies cautiously kept watch on him as he sat in a room by a window, and because of his crimes he died a wretched death when the assassins unexpectedly stabbed
145D him with swords and spears. He did, however, | leave behind a surviving disciple called Hoppo, who made the Stadlin referred to in Chapter Six[362] the new master. These two knew how, whenever they wished, to bring dung, hay or grain or anything at all from a neighbor's field to their own without anyone seeing,[363] how to cause very strong hailstorms and harmful breezes as well as lightning bolts, how to cast toddlers walking along water in the sight of their parents into the water without anyone seeing, how to bring about barrenness in humans and domestic animals, how to reveal concealed things to others, how to cause harm in objects and bodies in any way at all, sometimes how to kill whomever they wished with a strike of lightning and to cause many other baneful things, where and when God's justice permitted these things to happen.

[361] The source (Nider) frankly indicates an interesting fact omitted here. This confession was made after the fourth time that the torture known as the strappado was applied. The description of him as a heresiarch is an addition to Nider that is based on the conception of sorcery as a heresy ("heresiarch" being the technical term for the leader of a heresy).

[362] 114C (also 87B and 145C).

[363] An ancient form of folk magic. The use of incantations to steal a neighbor's crops was prohibited by the Roman Law of the Twelve Tables (an archaic law code of the fifth century BC), and there is evidence of a man being prosecuted for this in the second century BC.

It is good idea to turn to events discovered by us. In the diocese of Constance, twenty-eight German miles[364] from Ravensburg in the direction of Salzburg, a very savage hailstorm was stirred up, and for a distance of one mile it crushed the produce, crops and vineyards to such an extent that two years later the harvest in the vineyards was hardly judged to be plentiful. | Then the matter was reported by the notary of the Inquisition, 146A
the popular outcry necessitating an inquisition, since certain people, or rather virtually all the inhabitants of the town, deemed that these events had taken place through acts of sorcery. Hence, with the agreement of the chief magistrates, an inquisition in accordance with legal requirements[365] (concerning the Heresy of Sorceresses) was conducted by us for half a month. The trail led to two persons in particular (though the number of other suspects was not small). One was called Agnes the bathkeeper, the other Anna of Mindelheim.[366] They were arrested and placed apart in different prisons, the one knowing absolutely nothing about the other. The following morning, the bathkeeper was exposed to questioning under the lightest torture in the presence of the notary by the ruler or leader of the citizens[367] (a great zealot for the Faith called Gehler)[368] and by others of the chief magistrates whose assistance he had enlisted. Without a doubt, she had on her person the sorcery of silence (which judges must always beware of), since she asserted her innocence during the first onslaught with the spirit not of a woman but of a man.[369] Nonetheless, since it was the favor of God's clemency

[364] A "common German mile" was much larger than the corresponding English unit, equaling 4.6 of the latter (and 7.42 kilometers). The distance of this storm from Ravensburg is thus 129 miles (208 kilometers).

[365] This specification about the lawful nature of the inquiry may reflect defensiveness about the claims that had been made that Institoris was acting *ultra vires*. It was these claims that led Institoris to ask Pope Innocent VIII to confirm his credentials as inquisitor, which the pope obligingly did in the Bull *Summis desiderantes*, and questions about procedural irregularities led to the collapse of the inquisition in Innsbruck.

[366] In the text, this woman is referred to several times as *Agnes balneatrix*, which literally means "Agnes the bathkeeper," but she most likely had the last name Baderin, which is the feminine form of the German last name Bader, which is attested in Ravensburg from the beginning of the fourteenth century. By the usage of the early modern period, this could be a form of her father's or husband's name or an actual indication of her occupation, as the translation into Latin suggests. Bathkeepers had a reputation for immorality, however, and the name may have been translated to make the purported sorceress seem disreputable.

[367] I.e., *Bürgermeister*.

[368] Konrad Geldrich is attested as *Bürgermeister* for the year July 25, 1484–July 24, 1485.

[369] At the end of their letter, the burgermasters and city council inform Sigmund of some procedural practices that the inquisitor had taught them. In addition to instructing that the accused were not to be allowed to touch the ground (see 203C) and were to have their hair cut off (see 214C), he stated "also that there was this notable fact: if one questions (tortures) them and they don't cry, they are such witches or sorceresses." For the theory behind this, see 213C–D.

146B that so great a crime should not | pass unpunished, all of a sudden, when she was set free from her chains (though still in the torture chamber), she freely[370] revealed all the crimes that she had committed. She was asked by the notary about the articles[371] from the testimony of the witnesses about the acts of sorcery inflicted on humans and domestic animals (on this basis, the suspicion that she was a sorceress had been made violent),[372] and although no witness had given testimony against her about the renunciation of the Faith and the commission of carnal filthiness with an incubus demon (such ceremonies being the closest secret of the sect), nonetheless, after she had pleaded guilty following the listing of the instances of harm that had been inflicted on humans and domestic animals, she made a public confession of all the other things, when interrogated about the renunciation of the Faith and diabolical filthy acts committed with the incubus demon. She claimed that for more than eighteen years she had submitted sexually to that incubus in addition to renouncing the Faith in every way. After these proceedings were completed, she was asked whether she knew anything about the events connected with the hailstorm mentioned above, and she answered that she did.[373] When asked by what method and how, she answered, "I was in my house and at noon the demon summoned me, telling me to take myself to the open country" – the "Plain of Kuppel," which
146C is its name[374] – "and to bring a little | water with me. When I asked what work he wished to perform with the water, he answered that he wished to make rain. So as I passed through the city gate, I found the demon standing under a tree." When asked by the judge under which tree, she answered, "Under the one opposite that tower," pointing it out, and when asked what she had done under the tree, she answered, "The demon told me to dig a small hole and pour the water into it." When asked whether they had sat together, she answered, "While I sat, the demon stood." When then asked with what words or by what methods she had stirred the water, she answered, "I stirred it with my finger, but

[370] She knew full well that failure to confess would simply result in further torture.

[371] I.e., specific individual accusations.

[372] For the definition of this, see 222B–C.

[373] From here on, the anecdote gives the appearance of a transcript of the interrogation (see n. 379). It is doubtful that Institoris would have had with him the actual records, which were kept in the Ravensburg archives (see end of the next paragraph; such was also the case with the proceedings in Innsbruck: 95A), and thus the version presented here is a "reconstruction" designed to give the appearance of a "spontaneous" confession. Suspicion of "prompting" from the interrogators is not unwarranted.

[374] "Kuppel" is the old term for the fields north of Ravensburg.

in the name of that devil and all the other demons."[375] The judge in turn asked, "What happened with the water?" She answered, "It disappeared, and the Devil took it up into the air." When then asked whether she had had an associate, she answered, "Opposite under such-and-such tree I had the other sorceress under arrest as my associate" (she named Anna of Mindelheim). "What she did, I don't know." Finally, when asked about the interval of time between the water being raised up|and the hailstorm, 146D
she answered, "The delay lasted until I arrived at home."

Here is another wondrous event. The next day, the other one was also exposed to questioning under the lightest torture (being raised barely an inch off the ground),[376] and when set free, she revealed all the details mentioned above. There was not the least discrepancy with what the first had confessed, in the location (claiming that she had been under such-and-such a tree and the other under another tree), or in the time (at noon), or in the method (moving water put into a hole in the name of the Devil and all the demons), or in the interval of time (claiming that after the Devil had taken the water and raised it up, the hailstorm ensued after her return home). With that, they were burned to ashes on the third day.[377] Being contrite and having confessed, the bathkeeper earnestly commended herself to God, claiming that she was eager to die in order to escape the Devil's injuries and holding the Cross in the embrace of her arms. The other, however, rejected the Cross.[378] She had had the incubus demon for more than twenty years in addition to renouncing the Faith, and she surpassed the other in many acts of sorcery inflicted on humans, domestic animals|and the fruits of the earth, as the protocol deposited 147A
in the town hall shows.[379] Let these facts suffice, though actually the number of events that could be cited about the infliction of such acts of sorcery is virtually countless.

[375] The same invocation was used by Agnes for bewitching animals in 144A.

[376] Of course, the distance by which one is raised off the ground has nothing to do with the extent of the pressure on the shoulders.

[377] That is, Agnes confessed on the first day, Anna on the second, and the burnings were carried out on the following day. Justice delayed is, as the saying goes, justice denied.

[378] The phenomenon whereby those who have been tortured into confessing to crimes they did not commit actively accept the guilt implicit in the confession and behave accordingly is psychologically interesting (cf. the behavior of Bukharin, Kamenev and the rest during the Soviet show trials of the 1930s). Perhaps certain people find some sort of emotional "release" in "going along with the show." Presumably, Agnes received some sort of sympathy from her tormentors as a result of her "contrition." Anna of Mindelheim, on the other hand, was evidently made of sterner stuff.

[379] A protocol is also mentioned in the burgermasters' letter, but it is not preserved; see 95A for a reference to a similar protocol preserved in Brixen.

As for lightning strikes, the fact that lightning bolts have very often consumed humans either alone or along with wild beasts or with houses and granaries seems to have a more hidden and uncertain cause, since they often take place otherwise, that is, without the co-operation of the sorceresses. Nonetheless, it has been found on the basis of their unprompted confessions that sorceresses have caused them. (In addition to events and deeds discussed above, various other ones concerning lighting could be cited.) Reason also lends its support, since they can cause lightning bolts as easily as they can hailstorms. Hence, all uncertainty is removed.

[Note on Sources
Major identified source for Ch. 15:
Nider, *Ant Hill* 5.4]

## the three methods by which men and not women are found to be tainted with acts of sorcery (in three chapters,[380] the first concerning archer sorcerers)

THE final (for the present time) kind of sorcery is that in which
147B men are tainted. This consists of three varieties. First, the severity | of the crime as manifested in archer sorcerers should be noted with reference to seven different horrible crimes. First, on the more holy day of the Lord's Passion, that is, on the Friday[381] of Parasceve,[382] as it is called, they shoot at the most holy image of the Crucifix with an arrow during the solemn rites of the Mass as if shooting at a target. What cruelty and insult to the Savior! Second, it is a matter of doubt whether they must enter into an agreement with the demon to commit apostasy by word in addition to apostasy by work. In any case, by whichever method this takes place, a Christian can inflict no greater insult on the Faith, since it is certain that if an infidel committed similar crimes, they would be of no effectiveness,[383] and in no other work can he give so much pleasure to the Adversary of Salvation.[384] Therefore, such wretches ought rather

[380] I.e., Chs. 16–18 of Q. 1, as laid out in 86B and 91C.
[381] I.e., Good Friday.
[382] I.e., the last week of Lent.
[383] An "infidel" literally signifies someone lacking faith, and hence it would seem that since this procedure involves an element of the Christian faith, only Christians have access to its magical powers, even in terms of abusing them.
[384] I.e., the devil.

to consider the truth and effectiveness of the Catholic Faith. This is also the reason why it is just for God to permit crimes of this kind. Third, they have to make three or four bull's eyes in so many shots, and as a consequence they will be able to kill the same number of men on a given day. Fourth, they are made certain of the foregoing by the demons, but they must first clearly see the man to be killed with bodily vision, and when they turn the will of their heart entirely to killing him, | then 147C
whatever the place in which this man is enclosed, he will not be able to protect himself from being struck with the arrow once it is released and the Devil sticks it in him. Fifth, he can shoot an arrow with such accuracy that in a situation where they wish to knock a penny from the head with an arrow without harming that head, they are able to achieve this effect. The same is the case with a gun, however big. Sixth, to achieve these effects, they must render such homage to the Devil along with the damnation of their body and soul.[385]

Let us bring forward a few events relating to these crimes. About sixty years ago, a certain prince on the Rhine (called Longbeard because he grew a beard)[386] annexed certain Imperial territories and was besieging a certain castle called Lendelbrunn, because the inhabitants would make plundering raids from it. In his retinue he had a sorcerer of this kind called Puncker, who harried the inhabitants so much that with one exception he killed them all with arrows one after the other. The method he followed was that wherever the one whom he had seen turned, he would wound him fatally by shooting arrows. He had three such shots in his power on a given day, | because he had driven three arrows into the image of the 147D
Savior. (As for why the Devil chose the number three instead of all the others, it can be guessed that he does this to renounce the Most Holy Trinity.) After these three shots had been made, he would just shoot arrows at the target the way the other archers did. During the night-time, one of the inhabitants shouted as a joke to Puncker, "Won't you leave the circle hanging on the gate unharmed?" and he responded from outside, "No. I'll take it away on the day that the castle is captured."[387] It then happened that he fulfilled the very thing that he had foretold. After he killed everyone with the one exception, as has already been said, the

[385] The seventh crime appears below in 148C.
[386] Louis III of the Palatinate (ruled 1410–1436).
[387] The nature of this "circle" is not specified. It may be an apotropaic device like the boughs twisted by peasant women into a "circle" and placed over barn doors to protect the animals kept within against sorcery (see 179D), which would give more point to the story, but perhaps all that is meant is a representation of the coat of arms of the place (or of some owner of it).

castle was captured and he hung the circle on his house in Rohrbach[388] in the diocese of Worms, where it can be seen hanging in this way down to the present day. Afterwards, peasants to whom he was being extremely unpleasant killed him one evening with their digging implements, and he died in his sins.

It is also said of this man that when one of the noblemen wished to make a test of his skill, he set his own little son as a target for Punker. He put a penny on top of the boy's cap as the bull's eye and told him
148A to remove the penny | from the cap with an arrow. The sorcerer claimed that while he would do this, it would be difficult, and he preferred not to in order not to be led astray by the Devil to his own destruction. Nonetheless, he was persuaded by the words of the prince, and after putting one arrow on his collar by his neck,[389] he placed another on his crossbow and knocked the penny from the boy's cap without any harm. When the nobleman saw this, he asked the sorcerer why he had placed an arrow on his collar. To this he answered, "If I had killed the child through the Devil's deception, I would immediately have pierced you through with the other arrow, so that I would have avenged my death all the same."

Although God's permission allows evils of this kind to happen to test and chastise the faithful, conversely, the Savior's mercy certainly works greater miracles to strengthen and glorify the Faith. In the diocese of Constance near the castle Hohenzorn[390] and a convent of nuns[391] can be seen a church that has been reconstructed, and in this church can be seen one of these images of the Savior, along with an arrow that has been stuck into it and blood that has been shed. The truth of this
148B miracle was revealed in the following manner. Some wretch wished | to be made certain of killing others by the Devil by the previously described procedure concerning the three or four crossbow shots, and at a crossroads he shot at an image of the Crucifix with an arrow, piercing it in the way that can still be seen down to the present day. When the miraculous gore began pouring out, the wretch was stricken in his ability to walk through divine virtue and fixed in place. When he was asked by a passer-by why he was standing there without moving, the wretch

[388] There are a number of towns by this name, but the one directly south of Heidelberg seems the most likely candidate.

[389] Presumably, what is meant is that he held the second arrow in place under his chin, which would keep it in readiness for immediate use while leaving his hands free to shoot the first one. In that case, perhaps "collar" signifies the metal ring at the neck of a breastplate.

[390] I.e., Hohenzollern.

[391] A convent of Dominican nuns called Stetten.

would shake his head but could give no answer, trembling in the arms and hands with which he had been holding the crossbow and in his entire body. Looking around this way and that, the other man saw the Image[392] of the Crucifix and perceived the arrow stuck into it and the blood that had been shed. He then said, "You awful wretch, you didn't shoot the Image of Our Lord, did you?" Calling others, he said, "Watch out that he doesn't run away." Since the archer could not move from the spot, as has already been stated, the other man ran to the castle and told what had happened. They quickly ran down and found the wretch still stuck in the same place. After he was asked about the circumstances and confessed the crime, he was removed from the place as a result of contact with public justice[393] and received a very wretched death, a worthy form of revenge in light of his crimes.

But, unfortunately (this is a horrifying thought), not even such events scare human perversity | so that it will refrain from similar crimes. In the 148C
courts of noblemen everywhere, it is said, such men are supported, being allowed to boast and preen about their crimes in public, which results in contempt for the Faith and in serious offense to God's majesty. Hence, such men and those who harbor them should everywhere be judged to be protectors and abettors not merely of heretics but of apostates from the Faith, and should be punished with the penalties written below. (This is the seventh[394] crime.)

First, they are excommunicate under the law, and abetting clerics are removed from and deprived of every office and benefice, which will be restored to them only by a specific indulgence[395] of the Holy See. Also, if these harborers obstinately persist in excommunication for a year after their status has been made public, they are to be condemned as heretics.

The specifics are demonstrated as follows. The Chapter "*Ut inquisitionis*" § "*Prohibemus*" (*Liber Sextus*) discusses not impeding directly or indirectly the procedure or judgment of the ordinaries[396] responsible for them and inquisitors in cases concerning the Faith, and mention is made there of inflicting the penalty mentioned above after a year. First, it says, "We quite strictly prohibit powers, temporal lords and rulers, and their officials" and so on | – if someone wants to, let him read through 148D

[392] "Image" is a technical term for a religious portrayal in an official context.
[393] Presumably meaning that otherwise he could not have been moved.
[394] Of those laid out in 147B–C.
[395] I.e., a formal grant of dispensation from some unfavorable rule or ruling.
[396] An "ordinary" is the ecclesiastical judge responsible for a person, and the local bishop normally carried out this function.

the chapter – and then it says that the sorcerers together with their harborers should be excommunicate under the law. Later, these heretic sorcerers are treated in the beginning of Chapter "*Ad abolendam*" and in the first Chapter "*Excommunicamus*" and especially and more briefly in the second Chapter "*Excommunicamus*" ("Heretics"), where it says, "We have excommunicated and anathematized all heretics, Cathars,[397] Paterines"[398] – and below: "and others, whatever the names under which they are listed . . . " (note the reference to "whatever names").

Believers, harborers and the others mentioned above are mentioned in the first Chapter "*Excommunicamus*" § "*Credentes*," where it says, "Also, believers, harborers, defenders and abettors of these people we decree to be subject to excommunication . . . ". The second chapter "*Excommunicamus*" mentions further penalties that they, along with the clerics, incur within a year, and there it says, "Receivers, abettors and defenders we decree to be subject to excommunication, so that if, after any of them is marked with excommunication, he disdains to make satisfaction within a year, he should thenceforth be infamous,[399] and should not be admitted to public offices or councils, or to the selection of men for offices of
149A this kind, or to the giving of testimony.| Let them also be debarred from wills, so that they should neither have the free ability to make a will nor succeed to an inheritance. In addition, let no one be forced to respond to him concerning any business whatsoever; if a judge, let his sentencing not be upheld, and let no cases be brought before him for hearing; if a lawyer, let his advocacy be in no way admitted; if a notary, let the documents that he has drawn up be of no significance, and instead these should be condemned along with their condemned author. We ordain that the same practice be followed in comparable situations. If he is a cleric, let him be removed from every office and benefice, so that the punishment will be more severe in the case of one in whom the guilt is greater. If any disdain to shun such people after they have been marked out by the Church, let them be stricken with a sentence of excommunication until they make suitable satisfaction. Clerics should certainly not offer the Sacraments of the Church to baneful people of this kind or presume to grant them Christian burial or accept their alms or offerings; otherwise, let them be deprived of their office and not be restored to it in any way without a specific indulgence of the Apostolic See."

[397] I.e., adherents of the dualist heresy that became common in southern France in the twelfth century.

[398] This was a term for the Waldensians.

[399] "Infamy" is a technical term derived from Roman Law that signifies various legal disabilities.

There are also | very many other penalties concerning the people 149B
mentioned above, even if they do not persist obstinately for a year. These concern their children and grandchildren, who can be deprived of or declared as deprived of all ecclesiastical appointments, delegated appointments,[400] honors and benefices and all public offices whatsoever according to Chapter "*Ut commisi*" § "*Privandi*" (*Liber Sextus*, "Heretics"). "If they are unrepentant" is understood, as is established in Chapter "*Statutum Felicis*" (same book and title). It is also understood that their sons down to the second generation are also deprived of every ecclesiastical benefice and public office, as established in Chapter "*Quicumque*" § "*Heretici*" (same book). "Those who have descended through the father's and not the mother's line" is to be understood, and so is "concerning the unrepentant," as is established in the cited chapter. Also, that the benefit of appealing to and invoking a higher authority is forbidden to them (supply "their believers, harborers, defenders and abettors") is made clear in Chapter "*Ut inquisitionis*" (same book). Here, however, the Archdeacon understands (on the same chapter) that while they are unable to do so after they have been declared by sentence to be such, before sentence they can appeal if they are oppressed or unduly harassed in any regards.

Many other passages could be cited, but let these suffice. For a fuller 149C
understanding of the foregoing certain things should be discussed. First, what if, in the manner of the events mentioned above, a prince or temporal power takes along with him a sorcerer of this kind in order to devastate some castle and with his assistance represses the tyranny of evil men? Should the whole army be judged to be abettors and harborers of such people and punished with the penalties mentioned above? It seems that the answer should be that the strictness of justice should be moderated on account of the large numbers (Dist. 40 "*Constitueretur*").[401] The principal agent and his advisers and councilors who abet such things are by all means bound under the law by the aforementioned penalties in a situation where, after having been admonished by ordinaries responsible for them, they do not cease, since they are now judged to be harborers and abettors. As for the rest of the army, since such things are done without their advice and abetting and they are ready to risk their bodies

[400] I.e., situations (common in the Middle Ages) where the incumbent of a benefice keeps the associated income and hires someone else to perform the liturgical duties for him (naturally for a sum less than the income).

[401] The same principle and canon (with the same error in citation) are cited in a different context earlier (12A). Since this principle does not appear in the present context in Eymeric, it is presumably to be attributed to the author, who must have been fond of the sentiment.

in defense of the commonwealth, even if they are perhaps complacent about the sorcerers with respect to their deeds, they nonetheless escape the censure consisting of excommunication. They must, however, admit
149D such guilt|in their confessions, and once the confessor has received from them an assurance that they will always abhor all such deeds, he should absolve them.[402] They should then banish such sorcerers from their borders to the best of their abilities.

If it is asked from whom those in charge can receive absolution if they come to their senses, from the ordinaries responsible for them or from inquisitors, it is answered that they certainly can receive absolution from both the ordinaries and inquisitors if they come to their senses.[403] This is stated in the beginning of Chapter "*Ut officium*" (*Liber Sextus*, "Heretics"), where it says, "That the office," and below, "Against heretics and their believers, haborers, abettors and defenders, and also against those with a bad reputation concerning heresy or those suspected of it you should proceed according to the sanctions in the Canon, setting fear of humans after the fear of God. If one of these wishes to abjure the stain of heresy and to return to the Unity of the Church, you should grant the benefit of absolution according to the rule of the Church."

If the question of when a prince or other ruler will be said to come to his senses is urgently asked, the response is that he does so when he turns over the sorcerer for punishment for the injury inflicted on the Creator. Hence, that the prince should merely expel him from his territory is not the due penalty for a sorcerer (a heretic manifestly caught in heretical
150A depravity,|as will be explained below).[404] The prince should also grieve at his past actions and firmly resolve not to abet such people in future, as befits a Catholic prince.

If it is asked to whom the sorcerer is to be turned over and by what course of procedure he should be punished and whether he should be judged as caught manifestly in heresy, as for the first, in the beginning of Part Three[405] there will be a treatment of the difficulty regarding whether punishing them is the role only of the secular and not the ecclesiastical judge. It is made clear by Chapter "*Ut inquisitionis*" § "*Prohibemus*"

[402] What is meant here is a conditional absolution (see n. 564) based on the proviso that the person confessing promises not to repeat his misbehavior in the future.

[403] This paragraph is adapted from Eymeric *Directorium Inquisitorum* 3.92, which actually deals with the question of whether the bishop and inquisitor are allowed to absolve of excommunication someone who has been manifestly caught in heretical depravity and later repented and made an abjuration, and not the question of which of them may grant such absolution.

[404] 150B–D.

[405] Introductory "difficulty" (184B–193C).

(*Liber Sextus*) that secular judges are forbidden to pass judgment on the crime of heresy without the permission of the bishops or inquisitors, or at least of one of them. The reason given there does not seem relevant for sorcerers, however. It says that they ought not to pass judgment because the crime of heresy is purely ecclesiastical, but the crime of sorcerers does not seem to be purely ecclesiastical but also civil because of the secular losses. Be that as it may (there will be an explanation below), while it is the role of the ecclesiastical judge to investigate and pass judgment, it is still the role of the secular judge to execute sentence and to punish, as is explained in *Liber Extra*,"Heretics," Chapter "*Ad abolendam*," | Chapter 150B
"*Vergentis*, and Chapter "*Excommunicamus*" (both of them). Hence, even if the secular judge turns over such a person to the bishop for judgment, he is still able to punish him by himself after the convict is handed over (abandoned)[406] to him by the ordinary. With the agreement of the bishop, the secular judge can in fact carry out both tasks, that is, pass judgment and punish.

It is not valid if it is said that such sorcerers are not heretics but apostates, because each category concerns the Faith, and just as heretics merely doubt the Faith (in whole or part), so too do the apostate sorcerers. Reason itself also dictates this conclusion. Since it is a more severe crime to corrupt the Faith, through which the soul lives, than to counterfeit the currency, through which secular life is assisted, then if it is just for counterfeiters or other criminals[407] to be immediately handed over for death at the hands of the secular powers, it is that much more just for these heretics and apostates to be killed immediately upon their conviction.[408]

Hence, these facts provide the answer to the second question (by which course of procedure and by whom he should be punished), but in Part Three of the work, which concerns the methods of passing sentence, there will be a clearer treatment of how someone manifestly caught in heresy should be sentenced (Methods Eight[409] and Twelve[410] and the

[406] This is the literal sense of the term usually translated into English with the word "relax," which signifies the procedure whereby someone condemned by an ecclesiastical court is turned over to the "secular arm" for punishment. For the distinction between "abandon" and "hand over," see Pt. III n. 69.

[407] Here is the usual Latin play on words, the word malefactor ("evil-doer") clearly being associated with sorcery (*maleficium* or "act of evil-doing").

[408] This sentence is quoted almost verbatim (apostates are not mentioned in the original) from Aquinas's justification of the practice of executing heretics (*Summa* 2/2.11.3.Co.). (Presumably, this passage of the Saintly Doctor was well known to Dominican inquisitors.)

[409] 236B–237B.

[410] 242D–245A.

150C doubtful point as to | whether he should still be killed if he repents).[411] In fact, if he is a simple heretic who has relapsed, however much he repents, he is to be killed (Chapter "*Ad abolendam*" cited above). This is reasonable according to Thomas [*Summa* 2/2.11.4.Co.], since provision is thereby made for the common good, because if returning heretics were often welcomed back, so that they were preserved in life and other secular goods, this could be prejudicial to the salvation of others on two grounds. If they relapsed, they would infect others, and if they escaped without penalty, others would be more secure in relapsing into heresy. From their relapse it is presumed that they lack constancy in the Faith, and for this reason it is just for the heretic to be killed. Hence, it should also be said at this point that if the mere suspicion of inconstancy causes the ecclesiastical judge to turn someone who has relapsed over to the secular court for killing, a fortiori, if he is unwilling to turn over any apostate or sorceress because of her repentance or conversion, he nonetheless has to abandon such a person and cause no impediment when the secular judge wishes to kill the sorcerer according to the laws, because of the secular losses. First, however, the ecclesiastical judge has to absolve
150D the repentant sorcerer | of the excommunication that he incurs because of the Heresy of Sorceresses (a heretic is also excommunicate according to both Chapters "*Excommunicamus*"), and to receive him into the embrace of the Church for the salvation of his spirit, as is said in 11, Q. 3, "*Audi*." Other reasons are given below in Question One of Part One.

Let these statements suffice for the present. The curates of souls should, however, realize how harsh and strict an accounting is demanded of them by the Fearsome Judge.[412] In fact, the harshest judgment is reserved for those who are in charge if they allow such people to live, which results in insult to the Creator.

A discussion of the two other kinds of sorcerers follows. To this kind of sorcery are ascribed those who know how to enchant any weapons with incantations and sacrilegious chants, so that these weapons cannot harm them in any way and hence the sorcerers cannot even be wounded.[413]

[411] Apparently the final paragraph of 245A.

[412] I.e., God.

[413] Note that "enchanter," *incantator* (which is actually used below in 151B), the term implied in the verb *incantare* and the noun *incantatio* used here, is the term that Institoris employs in the *Nuremberg Handbook* for practitioners of magic (*Zauberer*) who are *not* involved in the Heresy of Sorceresses. This category and the next one are implicitly omitted in the *Handbook* from inclusion among those guilty of the Heresy of Sorceresses, which suggests that by the time he wrote the *Handbook* Institoris had cleared up the logic of why archer sorcerers were included at all.

They are divided into different varieties. There are some who resemble the archer sorcerers already discussed in that the practices that they learn also concern the image of the crucifix and the outrage inflicted on it. For example, a man who wishes to have the ability not to be harmed in the head by any sword or blow has to take off the head of the image, or if in the neck, he takes off the neck, or if in the arm, | he takes off or 151A damages the arm, and so on. Sometimes, they damage it above or below the waist, sometimes they do so entirely. As an indication of this, among ten images placed at a crossroads or in the fields, scarcely one is found intact.

There are some who carry around with them certain handbooks, while others produce such effects with Holy Words or unknown ones.[414] It is surmised that the following difference exists between the groups. The first resembles the sorcerer archers in insulting the Faith with reference to disgracing the image of the Savior and hence should be considered as true apostates and judged to be such when they are caught. Unlike the archers, however, they lack the intention of harming someone else, inasmuch as it seems that the purpose is to protect their own body above or below the belt or even the entire body. Therefore, when they are convicted as sorcerers and repent, they are to be judged to be repentant and not relapsed heretics and are to be sentenced to repentance according to Method Eight[415] (including an abjuration and imprisonment), as will be explained in Part Three of the work.[416]

The second group consists of those who endeavor to enchant weapons with chants and to walk over weapons with bare feet and to follow similar practices (according to Isidore [*Etymologies* 8.9.15], those who practice some art with words are called enchanters).[417] | In this instance, a distinc- 151B tion should be made. On the one hand, enchantments are sometimes performed over sick people with Holy Words or written chants, and such enchantments can be performed lawfully, so long as seven conditions are maintained, as will be explained below[418] on the topic of the methods of healing sick people affected by sorcery. On the other hand, if enchantments are performed over weapons with certain words, or when chants of this sort are carried around in written form, judges should note

[414] These two groups are listed as the second and third topics of this chapter in the main Table of Contents (4C), and presumably represent the second and third "chapters" referred to in the heading of the present chapter (147A) and in the introductory passages in 86B and 91C.
[415] 236B–237B
[416] Q. 27 (236B–238A).
[417] See n. 413.
[418] 172B–C.

that if there are unknown names in them as well as characters and other sorts of signing apart from the Sign of the Cross, then these elements are to be completely rejected and people are to be enjoined in a pious way not to believe in them. If they are unwilling to stop, then they should be judged to be lightly suspected (about such people there will be an explanation below on the topic of Method Two[419] of passing sentence). For in that case there is a suspicion of heretical depravity. In fact, such things have to take place through the work and help of demons, and anyone who uses their assistance is judged an apostate from the Faith, as was explained above.[420] These people should be dealt with more mildly than are archer sorcerers, however, because of their ignorance and the
151C Grace of correction. | It is seen to be a very common practice among men-at-arms and merchants to carry around with them chants like this and blessings that seem to have the appearance of an enchantment. Hence, it is a good idea to stamp this practice out altogether, either in the forum of penance through the confessor or in the legal forum through the ecclesiastical judge.[421] For the unknown words and signed characters mean that a tacit agreement is entered into with a demon, and the demon secretly intervenes and brings about the things requested in order to eventually entice the man to worse crimes. Hence, in the legal forum, such a person ought to make an abjuration according to Method Two[422] of passing sentence, and in the forum of the conscience the confessor ought to examine the chants, and if the person is unwilling to abandon them altogether, he should still blot out the unknown names and characters and leave the rest, like words from Gospels and the Signs of the Cross.

About all these topics, and especially the sorcerer archers, it should be noted that the question of whether they should be judged as having been caught manifestly in heretical depravity was discussed above and that this topic was treated even earlier in Question One[423] of Part One. There it was in fact explained that they should be. As Bernard says in the Ordinary Gloss on the word "*Deprehensi*," in Chapter "*Ad abolendam*"
151D § "*Praesenti*," | by law someone is considered to be manifestly caught in heretical depravity in three ways: through the evidence of fact, as in straightforward heresy when they preach heresy (*Pandect*, "Rite of

[419] Actually Method 4 (228D–230A).
[420] Perhaps 143A.
[421] The confessional and a formal legal proceeding (in an ecclesiastical court) are considered differing "forums" in which the penalty for misdeeds is to be determined.
[422] Again Method 4 (228D–230A) is meant.
[423] 7A–13D.

Marriage," "*Palam*" § "*Ultio*"); through lawful proof by witnesses; or from his own confession. Also relevant is Bernard's gloss on the second Chapter "*Excommunicamus*" on the line "*Deprehensi publice*": "so that it will be well known to them too that they have been condemned." He seems to make the same point on Chapter "*Super quibusdam*" (*Extra*, "Significance of Words"), as was explained in Question One[424] of Part One of this work. From these citations it is clear that because of their manifest works, which could happen only through the virtue of the Devil, sorcerer archers as well as those who enchant weapons should be considered as manifestly caught in heretical depravity through some explicit pact entered into with a demon.

Second, it is also clear that their abettors, harborers and defenders, being manifestly such,[425] should be considered as such, and that they are manifestly subject to the penalties mentioned above, so that now they are not judged to be harborers in a doubtful way or judged to be suspected with a light, heavy or violent suspicion, as many others are.

Hence, they always commit the most severe sin | against the Faith 152A
and always are stricken by God with an evil death. As the story goes, a certain prince was abetting similar sorcerers and in addition was unduly harassing a certain city in connection with certain affairs. When he was criticized for this by one of his courtiers, in disregard of all fear of God, he answered, "May God grant that I die in this spot if they are being unjustly harassed by me." Upon these words the vengeance of God immediately followed, and he breathed his last with a sudden death. This was vengeance not so much for the unjust harassment as for the abetting of heresy.

Third, it is also clear that when any prelates and curates do not, to the best of their abilities, oppose crimes of this kind and their instigators and abettors, they can also be judged as manifest abettors and are manifestly subject to the penalties mentioned above.

[Note on Sources
Major identified sources for Chs. 16–18:
Aq., *Summa* 2/2.11.3
Eymeric, *Dir.* 2.47; 3.89, 92, 113, 114, 115, 117]

[424] 11D–12A.
[425] I.e., heretics.

THERE FOLLOWS BASIC DIVISION TWO OF THE PRESENT PART TWO, WHICH CONCERNS THE METHODS OF REMOVING AND CURING ACTS OF SORCERY, WITH AN INTRODUCTORY DIFFICULTY

[TT] WHETHER IT IS LAWFUL to remove acts of sorcery through other acts of sorcery or through other unlawful means.

152B [AG 1] It is argued that it is not because | it is not lawful to make use of the help of demons, as was explained above[426] and is determined by the Doctors in common in the *Commentary on Pronouncements*, Bk. 2, Dist. 7, on the grounds that this is apostasy from the Faith. Indeed, that an act of sorcery cannot be broken without the help of demons is proven on the grounds that it is broken either by the contrivance of the artifice of man or the Devil or by the power of God. The first is not the case because a lower power cannot infringe upon a higher one, since it can do nothing surpassing its own virtue. It is also not divine power, because this would be a miraculous work and God works miracles at His own discretion and not at the insistence of humans. For instance, when His mother asked Christ to provide wine miraculously, this needed the miracle of transformation, as the Doctors propound, and this is why He replied, "What is it to you and me, woman?" [John 2:4], that is, "What do we have in common in the miraculous work."[427]

[AG 2] It is also evident that the possessed are very seldom freed, however much they beg for the help of God and the assistance of the Saints. Therefore, they can be freed only with the help of devils, though it is not lawful to seek this.

[AG 3] Also, what is commonly tolerated becomes general practice, even if it is unlawful, and it is common practice for those affected by
152C sorcery to rush to superstitious womenfolk, | by whom they are very often freed and not by priests or exorcists. Therefore, practice shows that acts of sorcery are broken with the help of demons. Since it is unlawful to seek a demon's help, however, what is lawful is not to break acts of sorcery but to endure them with patience.

[AG 4] Also, according to Thomas and Bonaventure in the *Commentary on Pronouncements*, Bk. 4, Dist. 34 [*Sent.* 4.34.1.3], which treats the impediment caused by sorcery, an act of sorcery can be so permanent that it can have no human remedy because, if it has one, this is not

[426] A similarly vague reference appears in 151B; perhaps the discussion in mind is the one in 143A.

[427] This is a misunderstanding of the passage (typical of medieval exegesis, which without reference to the context interpreted biblical passages as illustrative of notions irrelevant to the text under discussion). Jesus' words meant, "What difference does the lack of wine make to you and me?"

known to or lawful for any human. With these words they let it be understood that it is like an incurable and permanently present illness. Then, they add that although God could offer a remedy by compelling the demon and the demon could do so by stopping, and the man would be healed, nonetheless, the healing will not be human. Therefore, unless God ends it by Himself, it is not lawful to seek an end to it in any way at all.

[AG 5] Also, they say in the same distinction and question that it is also unlawful to apply a remedy through another act of sorcery. Hence, they say that even if a remedy could be applied through another act of sorcery, although the sorcery would be removed, it would still be considered permanent, because it is in no way lawful to invoke the help of a demon through sorcery.

[AG 6] Also, the exorcisms of the Church are not always potent in 152D
repressing demons in terms of all bodily harassments (the judgment of God dictates this), but they are always potent against those forms of possession by demons for which they were originally instituted, like people under demonic assault or children needing exorcizing.

[AG 7] Also, it is not necessarily the case that if the Devil is granted power over someone because of a sin, this power ends when the sin ends, because sometimes the penalty remains though the sin ends.

From these words, it seems that the pronouncement of the two Doctors is that what is lawful is not to remove the acts of sorcery but to leave them alone in the same way other incurable illnesses are left alone and to entrust them to the Lord God alone, Who can break them as He pleases.

[SC 1] To the contrary, it is the case that just as God and nature are not abundant in redundancies, they are not lacking in necessities,[428] and therefore the faithful have necessarily been given not only preventive remedies against attacks of this sort on the part of demons (these remedies were mentioned in the beginning of the present Part Two)[429] but also healing remedies. Otherwise, God would have made insufficient | provision for the faithful, and the works of the Devil would seem 153A
stronger than those of God.

[SC 2] Also, the gloss on the passage "There is no power over the earth . . . " (Job 41[:24]) says, "He surpasses all human things, although he is subordinate to the merits of the Saints," and so they are also subordinate to the merits of the saintly men in this life.

[428] Another scholastic aphorism.
[429] 86B–92D.

[SC 3] Also, Augustine says, "An angel is not more powerful than our mind when we cling to God. For if power is a virtue, in this world the mind that clings to God is loftier than the whole world" (*Customs of the Church* [1.11]), and hence the works of the Devil can be ended by such means.

[CO] Response. On this point there are two hallowed views that seemingly contradict each other. There are some theologians and canonists who agree that it is lawful to remove acts of sorcery, even through vain and superstitious works. Adherents of this view are Scotus, Hostiensis and Geoffrey, and all the canonists in common. It is the opinion of other theologians, especially of the ancient ones but also of certain modern ones[430] like Thomas, Bonaventure, Albert, Peter de Palude and many others, that evil things should in no way be done in order for good ones
153B to result, | and that a human should die rather than agree to such things in order to be freed through vain and superstitious works.

It will be possible for their sayings to be brought into agreement with a single distinction, but their opinions should be looked at first. Scotus (*Commentary on Pronouncements*, Bk. 4, Dist. 34 [*Sent.* 4.34.1.Co.], "On the impediment caused by sorcery, that is, on frigid[431] people and those affected by sorcery") considers it to be foolishness to claim that spells of sorcery ought not to be broken through vain and superstitious means, saying, "In this there is no lack of faith, because the one who destroys it does not agree to the works of the Devil but believes that the Devil is able and willing to harass so long as such a symbol lasts, since according to the agreement he lends his assistance to this end only as long as the symbol lasts. Thus, the destruction of this symbol will not put an end to such harassment."[432] Then, he says that it is meritorious to destroy the works of the Devil.

Since he speaks of symbols, let us give an illustration. There are certain women who mark out sorceresses with such a symbol. For instance, if a cow is deprived of the richness of its milk as the result of sorcery, they hang a pitcher of milk over the fire, and as they make an insistent demand with certain superstitious words, they smash the pitcher with a walking

[430] Here the distinction of "ancient" vs. "modern" is used in its common scholastic sense to refer to the "realist" and "nominalist" schools (while Bonaventure was a nominalist, Aquinas, Albert and Peter de Palude were realists). The thought here is a reworking of the source (Nider); see n. 437.

[431] Though the general sense of the word is similar to its modern derivative, its medieval meaning is somewhat different. "Frigidity" signifies the inability to function sexually because of a "coldness" or sluggishness in the person's physique.

[432] This sentence is misrepresented here. The original states that the symbol "imposes an end" and the verbal prefix was misread at some point as *non* ("not").

stick.[433] Although it is the vessel that the woman smashes, | the Devil 153C
delivers all the blows to the back of the sorceress and in this way the Devil is harassed by them, as is the sorceress.[434] While the Devil is not really compelled or harassed, he does these things in order to entice the Catholic woman who smashes the vessel to worse acts,[435] and hence this is dangerous. Otherwise, the view of this great Doctor would seem to pose no difficulty. Other illustrations could be cited.

Hostiensis speaks to the same effect in the *Copious Summa* ("On frigid people and those affected by sorcery" in the title "Impotence in Copulating" in the gloss on the Chapter "*Littere*" § "*Mulierem autem*" [4.15.10]), saying that for this defect recourse should be had to the remedies of physicians, and although certain written remedies against these things seem vain or superstitious, any authority should be trusted in connection with his art. Also, the Church can well enough tolerate the smashing of vanities with vanities.

Umbert makes this distinction in the following words (Bk. 4, same dist. [*Sent.* 4.34.3]). "Acts of sorcery can be destroyed either through prayers or through the art through which they were made."

To the same effect, Geoffrey says in the same title in his *Summa* [4.15], "An act of sorcery cannot always be undone by the one who performed it, because he is dead or because he does not know how to destroy it or because the sorcery[436] is ruined. If, however, this is known, he could undo it lawfully." | (He is speaking against those who hold that an impediment 153D
could not be set in the way of carnal union through acts of sorcery

[433] Interestingly, discussion of this procedure entered into Institoris's investigation of a sorceress in Innsbruck, as related in his protocols for interrogating suspects (see n. 303). The procedure of the milk pail was mentioned in a deposition given by Cristin Ypfhoferin on September 6, 1484: "Trenlin Rötfelder's serving girl is suspected of taking milk from cows. For a person from whom the milk was taken learned that she should hang a milk pail over the fire and strike it in the name of the Devil; then the person must come. It then happened that this person came crying and felt ill."

This procedure apparently struck Institoris's imagination, and he used it in his preaching, not to everyone's satisfaction. The first article against Helena Scheuberin states that she refused to attend his sermons and the second article states that she was rendered suspect of heresy for having claimed publicly that his claims about Catholic doctrine were heretical. She went so far as to state that the Devil had deluded him into preaching nothing but heresy, calling down upon him an attack of epilepsy. She admitted this when arrested, and "when asked why she asserted that Church doctrine was heretical, she responded that I had only preached against *'unhulen'* ['witches'] and added that I had given the method of striking a pail of milk in order to gain knowledge of a sorceress who had taken milk from cows. And when I stated that I had cited these things against them by way of censure rather than for instruction, she stated that in the future she would never attend my sermons after release."

[434] Cf. the anecdote about the demonic cats (123C–125B).

[435] For the idea of gradual corruption, see 93B, 98B, D.

[436] Presumably, the object used in "causing" the sorcery.

because no such act could be permanent, and for this reason it could not dissolve a marriage that had already been contracted.)

Also, those who were induced to state that no act of sorcery is permanent were motivated by the following reasons. They thought that every act of sorcery could be removed through another act of sorcery or through the exorcisms of the Church that are ordained for repressing the violence of demons or through true repentance, since the Devil has power only over sinners. Hence, in the first reason they agree with the view of the others, that such acts could be removed through superstitious means at least. St. Thomas, however, is of the contrary view, saying (Bk. 4, same dist. [*Sent.* 4.34.3.Ra3]) that if an act of sorcery can be abolished only through unlawful means, for instance through the help of a demon or the like, even if it were known that it could be abolished in this way, it is judged to be permanent since the remedy is not lawful.

Bonaventure, Albert and all the theologians in common speak to the same effect. When they briefly discuss the implicit or express invocation of the help of a demon, their pronouncement seems to be that such acts of sorcery should be removed only through lawful exorcisms or true
154A | repentance, as was discussed in the previously cited Chapter "*Si per sortiarias*." In this, it seems that they were motivated by the reasons cited in the beginning of the question.

It is a good idea to bring these great Doctors into agreement as far as is possible, and this can be done with a single distinction.[437] It should be noted that an act of sorcery either is broken through both another sorcerer and another act of sorcery or it is broken not through a sorcerer but through the unlawful rites of sorcery. This in turn takes place in two ways, either through rites that are both vain and unlawful or through rites that are vain but not unlawful. The first remedy is altogether unlawful, with respect to both the instigator and the remedy itself. Although it takes place either with or without harm to the person who inflicted the sorcery, in any case it takes place through the unlawful rites of sorcery and thus is subsumed under the second method, that is, the one in which the sorcery is broken not through another sorcerer but through unlawful

[437] This notion of a "single distinction" comes from Nider (*Ant Hill* 5.3), who means something entirely different. According to him, while the ancients denied that it was lawful to break an act of sorcery, the moderns accepted the practice. Nider considers that both groups were correct, so long as the following distinction was borne in mind. If the sorcery was broken through use of a sorcerer's unlawful rites, this was completely prohibited, but if the sorcery was broken through some sort of motion (for instance, removing from underneath a house's threshold the remains of a lizard that had been placed there as a means of inflicting sorcery), this was acceptable. Here, Nider's simple distinction is made rather more complicated (and much less clear).

rites of sorcery. In this case it is again judged unlawful, though less so than the first.

Hence, we can say in summation that a remedy is rendered unlawful through the following three criteria and by the following three methods. The first is when it is removed through another sorcerer and other acts of sorcery, that is, through the virtue of some demon. | The second is when 154B
it is removed not through a sorcerer but through a respectable person, though by the procedure that through superstitious remedies the act of sorcery is removed from one person and inflicted on another. This again is unlawful. The third is when it is broken without being inflicted on another but the person nonetheless uses an express or implicit invocation of demons. This again is unlawful. With reference to these methods the theologians say that death is preferable to agreeing to such things. To break an act of sorcery by the last two methods, on the other hand, can be either lawful or not vain according to the canonists, who say that these methods can be tolerated when previous attempts at using the remedies of the Church, such as the exorcisms of the Church, begging for the support of the Saints and true repentance, have been of no avail.[438]

To make the understanding of the specifics clearer, an event discovered by us should be related. A certain bishop from Germany came to Rome in the time of Pope Nicholas[439] to take care of certain business affairs. (Considerations of charity dictate that his name should be concealed, although he has already paid off the debt of all flesh.) He fell in love with a certain young woman and arranged to send her to his diocese along with two servants and certain things including valuables. | Beguiled by 154C
female greed for the valuables, which were of great worth, the young woman began to think up a method by which the Bishop would die through acts of sorcery while she was on the journey. Now that she had the valuables in her trust, all of a sudden the Bishop fell ill the next night. The physicians earnestly investigated whether he might have been poisoned, and in their sorrow the servants were uncertain. The fever in his chest was so great that he could be revived only by constantly gargling with cold water. Then on the third day, when any hopes for his life were now abandoned, a certain old woman demanded to be admitted into the Bishop's presence and revealed that she had come for the sake of his health. When admitted, she spoke to the Bishop, promising him his health so long as he would agree to her suggestions. When the Bishop

[438] The scheme in this paragraph is poorly conceived, and is not clearly reflected in the four forms of remedy that are discussed in the subsequent paragraphs; see nn. 442 and 462.

[439] Presumably, Nicholas V, pope 1447–1455.

asked what it was the he had to agree to in order to regain his health, which was his greatest desire, the old woman responded, "Well, this illness has happened to you through sorcery, and the only way for you to be freed is through another act of sorcery, so that the sorceress who inflicted it on you will be infected with this very illness of yours." The Bishop was thunderstruck, and although he sensed that he could not
154D be freed by any other method, | he did not wish to do anything rashly and decided to consult the Pope by petition. The Pope loved the Bishop very dearly, and when he learned that the Bishop could be freed only through the death of the sorceress, he agreed that the lesser among two evils should be allowed and signed the petition for this. The old woman was then summoned again, and the Bishop explained that both he and the Supreme Pontiff agreed to the death of the sorceress so long as he was restored to his former health. With this, the old woman left, promising that he would be freed the following night. All of a sudden around midnight, he felt that he was healthy and free of any illness, and a messenger was dispatched to find out what had become of the young woman. All of a sudden, the messenger returned to say that around midnight she had suddenly fallen ill while sleeping at her mother's side.

This event let it be understood that at the same hour and moment the other sorceress (the old woman) caused the illness to leave the Bishop and attack the young sorceress. When the evil spirit ceased to harm the Bishop in this way, he coincidentally seemed to restore him to health.
155A | The spirit did not properly speaking introduce health, though he was able to take control of it with God's permission because of an agreement he made with the second sorceress, who envied the good fortune of the first. This demon had to infect the young mistress,[440] and it is a good guess that those two acts of sorcery were inflicted not by one demon on two persons but by two demons with the assistance of the two sorceresses. In this the demons were not opposing each other, since they always perform various works for the damnation of souls, which is their highest and joint desire.

When the Bishop decided to visit the young woman for the sake of piety, he was greeted with fearsome curses as he entered the room. She shouted, "Damn you for ever along with your woman, who taught you these things and freed you!" When the Bishop tried to soften her spirit so that she would repent and to show that he had forgiven her every offense, she turned away her face and shouted, "Get out, curse you!

[440] I.e., the female version of "master" (rather than "concubine"); presumably, the term is meant to mark her out as the head of a satanic cult (see 97D–98A, 145D).

In this there is no hope for forgiveness. Instead, I commend my soul to all the demons." She died miserably and the Bishop returned home in joy. (At this point, it should also be noted that a privilege for one person does not make | a general law, and hence the Pope's dispensation in this 155B
case does not prove that this is lawful for everyone.)

Nider gives a report to the same effect in his *Ant Hill* [5.3], where he says the following. As a method of removing an act of sorcery or of avenging oneself on a sorcerer, the following method is sometimes practiced. Someone harmed either in his own person or in his possessions came to a sorceress, asking to learn the identity of the evil-doer.[441] Then the sorceress would sometimes pour molten lead into water until an image could be seen in the lead through the work of a demon. At the sight of this, the sorceress asked the inquirer, "In what part do you want your sorcerer to be harmed, so that you can recognize him by that wound?" When the inquirer selected a place, the sorceress immediately put a nail or a knife wound in the same part of the image that was visible in the lead. She showed the place where he would find the guilty person but in no way revealed the name. As experience testifies, the sorcerer would be found to be injured in every regard just as his leaden image indicated.

These remedies, I say, and similar ones are certainly judged to be unlawful, although human frailty, which suffers greater turmoil about the health of the body than that of the soul, is quite often ensnared in them in the expectation of receiving forgiveness from God.

The second remedy concerns sorceresses who break acts of sorcery 155C
under an express agreement entered into with a demon without harming the person.[442] (What should be done with them and how they are recognized will be explained below on the topic of Method Sixteen[443] of passing sentence.) How many of them there are! They can always be found every one or two German miles, and within this radius these sorcerers seem to heal whatever harm is caused by other sorceresses. Some boast that they provide these cures without exception in terms of time, some say that they heal only those affected by acts of sorcery since the

[441] Once again, this is a play on the Latin for "evil-doer," which looks like "caster of sorcery."

[442] The numbering of this and the subsequent remedies does not clearly correspond to the three methods of remedy laid out in 154A–B. In the previous two anecdotes (the German bishop in Rome and the anecdote from Nider) the harm is transferred to the original sorceress, while here in the "second" method the sorcerers who break the sorcery do not harm the original sorceress. This distinction is made towards the end of 154A, where the latter method is said to be unlawful like the former, but less so.

[443] Actually, Method 15 (251B–254C).

last Ember Day,[444] and yet others can heal only with the consent of the sorceress who inflicted the sorcery. With reference to the express agreement entered into with a demon, these sorceresses are distinguished by the fact they reveal secrets to those who approach them for the sake of recovering their health. They immediately reveal to their visitors the reasons for their misfortune, saying that the woman has been harmed in her person or her possessions because of a squabble or quarrel with a female neighbor or another woman or man. To conceal their crimes, they sometimes enjoin pilgrimages or other acts of piety, and it is all the
155D more dangerous | to approach them in order to recover one's health, to the extent that their sin results in more insult to the Faith than does that of those who seem to heal only through an implicit agreement.[445] For while on the one hand such people value bodily health more than God, on the other they shorten their life since God smites them as vengeance for their crime. This is why in His vengeance God acted with savagery against Saul. Although Saul first removed the magicians and soothsayers from the land, he later consulted them, and as a result he was killed in war along with his sons (1 Sam. 27 [actually, 31.6]; the guilt is mentioned in 1 Chron. 10[:13]). This is also why Ahaziah had to die when he was injured (2 Kings 1).[446] Those who visit sorceresses in this way are of ill repute, and as a result should not be allowed to lodge an accusation (2, Q. 8, "*Quisquis nec*"). Such people should also be executed according to the laws, as was discussed in Question One[447] of this work.

But, alas, O Lord God! Since all Your judgments are just, who will free the wretches affected by sorcery who wail in constant pains, as our sins demand? The Foe[448] has greatly prevailed, but where are there those who can break the works of the Devil with lawful exorcisms? The only
156A remedy that seems to remain is | that judges should at least restrain their onslaughts by chastising with various penalties the sorceresses who are the instigators. As a result the ability to visit sorceresses will in fact be cut off from sick people.

[444] "Ember Days" are special days of fasting and prayer on the Wednesday, Friday and Saturday following four dates in the calendar: the first Sunday in Lent (usually late February), Whitsun/Pentecost (usually early June), the Feast of the Exaltation of the Cross (Sept. 14), and St. Lucy's Day (Dec. 13). The placement of these days in the calendar meant that they could be taken to signify the start of the seasons. Presumably, this restriction has something to do with the belief that sorceresses held their "conventicles" on Ember Days (see 221D).

[445] Here another attempt is being made to interpret magic that was practiced in the context of Christianity and made (unorthodox) use of traditional piety as "Satanism."

[446] After suffering an injury, King Ahaziah of Israel wished to consult a local pagan god about his prognosis, and God reacted unfavorably to this.

[447] 7A–13D.

[448] I.e., the Devil.

Unfortunately, no one perceives in his heart that they are all seeking things that belong to them and not the things that belong to Jesus Christ.[449] The sorceress in Reichshofen who was mentioned above[450] was visited by such constant crowds of people affected by sorcery who sought to recover their health that the count of the castle wished to profit from a toll, forcing each person affected by sorcery in his person or his possessions to pay a penny to enter the gate. As a result he claimed to have gotten a large income from this.

Through the testimony of experience we have also learned that there are many such sorceresses throughout the diocese of Constance. Not that it is tainted more than other dioceses, since this kind of lack of faith creeps throughout all dioceses and, unfortunately, seems to have infected the entire world. Rather, more effort has been spent on this diocese, and in it was found a certain man called Hengst, who can be seen being visited every day by quite a large throng of poor wretches affected by sorcery. With our own eyes we have seen such a throng in a certain village called Eningen. | Without a doubt no shrine of the Most Blessed 156B
Virgin, either the one in Aachen[451] or The Hermitage,[452] is visited by such throngs as that superstitious man is. During the coldest period of winter, when every royal and public road is blocked with an abundance of snow, from the surrounding territory to a distance of two or three miles people visited him with their great harassments.[453] While some learn of remedies, others by no means do so, and I think that the reason for this is that not all acts of sorcery have an equal capacity to be broken on account of the various obstacles, as was discussed above.[454] Certainly,

[449] Reference to Philippians 2:21: "For they all seek their own things and not the things of Christ."

[450] 114D.

[451] In 799/800, Charlemagne brought to the royal chapel (later the cathedral) in his capital Aachen (Aix-la-Chapelle) many relics (including numerous items supposedly belonging to the Holy Family) from Rome, Constantinople and Jerusalem (for their miraculous abilities, see Vincent of Beauvais, *Mirror of History* 24.5). This Church of the Virgin Mary became a popular pilgrimage site after the practice began in 1349 of exhibiting the relics every seven years (for two weeks in July).

[452] I.e., the monastery at Einsiedeln (now in Switzerland). In 834 St. Meinrad founded a hermitage here, and after he was clubbed to death by a pair of brigands, a chapel dedicated to Christ the Savior was built on the site of the murder by the remaining hermits. In 934, a Benedictine monastery was founded on the location of the earlier hermitage (and named after it). On September 14, 948, the bishop of Constance was to dedicate the newly rebuilt chapel, but on the previous night he had a vision in which Christ himself dedicated the chapel to his mother. From then on, this day was celebrated as the "Feast of the Miraculous Dedication," and 130,000 pilgrims are said to have attended the rites for the feast and the preceding vigil in the year 1466.

[453] The Latin is not clearly composed, but the author seems to mean that the visitors bring their troubles to this man Hengst for him to cure them.

[454] 153C?

these people break acts of sorcery under an express invocation of demons in terms of the second unlawful remedy, but not in the manner of the first.

The third[455] remedy is practiced with certain superstitious ceremonies but is not performed to harm any person or through manifest sorcerers, which experience attests in the following way. In Speyer a merchant of the market place explained that the following event happened to him. "In the region of Swabia," he said, "I was spending time in a certain
156C castle belonging to noblemen. One | day after breakfast, I joined two young noblemen and went for a walk across a pasture for relaxation. A certain woman came our way, and while she was still walking far off, she was recognized by the two young noblemen. One of them said to me the words, 'Quick! Protect yourself with the Sign of the Cross!' and the one on the other side likewise urged me to do this. When I asked the reason for such fear, they answered, 'Look, the worst sorceress of this whole province is now coming our way! She knows how to affect people with sorcery merely by looking at them.' I became annoyed and boasted that I had never feared such people, but I scarcely finished the words when all of a sudden I felt myself seriously injured in the left foot, so that I could not pick up my foot or take a step without serious pain. The others quickly sent a messenger to fetch a horse for me from the castle and brought me back to it. The pains increased for three days, and since the locals mentioned before[456] understood that I had been infected with sorcery, they approached a certain peasant a mile away, who they knew broke acts of sorcery through some art, and they explained the
156D situation. | The peasant came quickly and examined the foot. He said, 'I will test whether this happened to you as a result of sorcery or a natural defect, and if it did happen as a result of sorcery, I will heal you with God's assistance. Otherwise, it will be necessary to continue with natural remedies.' I said, 'If it is possible for me to be healed without superstition and with God's assistance, I will readily accept this, since I wish to have nothing in common with the demon and do not desire his assistance.' To this the villager responded that he wished only to apply lawful remedies with God's assistance and to make a cure in this way, so long as experience showed that this had happened to me as a result of sorcery. I agreed to these two terms. He held molten lead" – as was

[455] See n. 462.
[456] Presumably, the noblemen.

discussed above regarding another sorceress[457] – "over the foot in an iron cup and poured it into a bowl full of water. Suddenly, the appearances of various things sprang forth, as if thorns, strands of hair, bones and the like had been thrown in. 'Now,' he said, 'I see that this illness happened to you as a result not of a defect but of sorcery.' When I | asked how he 157A
could know such things from molten lead, he said, 'Well, there are seven metals from the seven planets, and because Saturn has dominance over lead, it is a property of lead that if it is poured over some act of sorcery, it will show the sorcery through Saturn's influence. And it's a good thing,' he said, 'that a remedy is being applied quickly. Since I have to visit you on as many days as you have been affected by the sorcery, I must ask how many days have passed." I stated, "Three now." He then visited me every day over a period of three days, and though he merely examined and touched the foot, muttering all the words to himself, he restored me to full health, putting the sorcery to flight."

While this method certainly does not show the practitioner to be a sorcerer, it does show the method to be superstitious. In that he promised health with the assistance of God and not the work of the Devil, and he explained the influence of Saturn over the lead as being caused by Saturn's dominance, he was irreproachable. Rather, he was to be commended. The virtue by which he put the act of sorcery to flight and caused the appearances of things in the lead, however, is left as a doubtful point. Since the sorcery could not be removed through any natural virtue, | although it could be lessened by one, as will be explained below[458] 157B
regarding the remedies for those under assault, it seems rather that he implemented this through an agreement, at least a implicit one, entered into with a demon. The pact is called "implicit" in this case since the instigator at least agrees implicitly to the Devil's assistance. This is the method by which countless superstitious works are practiced, though not in the same way with reference to the offense to God, since there is greater offense to God in the one work than in the other. Because of the fact that he was certain of producing health, had to visit the man for as many days as he had been affected by the illness, and without using any natural medicines still restored the sick man to health as he had promised, he is judged to be not so much suspected as at least manifestly caught in an implicit, though not a express, agreement entered into with a demon. He should be considered convicted and should be punished

[457] 135C.
[458] 169D–170C.

with at least the penalties stated below in Method Two[459] of passing sentence, including the solemn abjuration, unless he is supported by the
157C laws that seem to have the opposite sense (what the ordinary | ought to do in that situation will be explained later in the solution to the arguments).[460]

The fourth remedy to be tolerated is one that the canonists at least conceive of along with certain theologians, calling it merely and precisely a vanity, on the grounds that it is only superstitious and is not worked under some express or implicit agreement in accordance with the intent and undertaking of the practitioner. I say "at least," because if perchance they would combine the third remedy and this fourth one, it seems better to yield to their claim than to contribute to strife. This certainly is a vain remedy, as is illustrated above[461] with the women who strike a pitcher set above the fire to beat a sorceress who has deprived a cow of its abundance of milk. (Perhaps they perform such acts in the name of the Devil, but perhaps they do so without explicit mention of him.)[462]

Other deeds of theirs could be cited to this effect. Sometimes, when they wish to send out cows that have been harmed in this way to pasture, they endeavor to track down the sorceress. In this case, after placing a
157D man's drawers or some other unclean thing over the head or back | of the cow (preferably on Feast Days and other more holy times),[463] they drive this cow out with a staff, again perhaps striking it with an express

[459] 225D–227B.
[460] 158C.
[461] 153B–C.
[462] This fourth remedy is not defined, and the way in which the supposed dispute with the canonists is laid out obscures the matter. The difference between the third and fourth remedies appears to be that whereas the former is practiced by respectable people who use superstitious rites to break the sorcery without resort to demons, the latter, according to the theological interpretation, is carried out through the assistance of demons and is thus impermissible. (Note in this regard that the one example in the third category involves a man, but apart from the odd story at the end about keeping sorceresses in church, the fourth seems to be the province of peasant women, who are the principal adherents of the Heresy of Sorceresses.) The view ascribed to theologians conceives of all forms of magic as being dependent upon demons, and thus rules out the possibility of benign magic, but it is grudgingly allowed, for the sake of ecclesiastical harmony, that this fourth sort of remedy may be classified with the third sort, which supposedly does not involve demons. The implicit distinction between the third and fourth sorts of remedies seems not to correspond to the confusing introductory discussion: in 154A remedies performed by non-sorcerers are divided into those that involve vain but unlawful rites and those that involve vain but lawful rites, but in 154B the distinction concerning remedies performed by respectable people is that while in some remedies the harm is transferred, in others there is no transfer but there is an express or implicit invocation of demons. This last description seems to suit the present fourth remedy, but remedy three in 156B–157B does not involve a transfer of harm.
[463] For "more holy times" that are not specific feasts, note that in 112D the season of Advent is termed a "more holy time of the year."

mention[464] as above. Then the cow hastens on a direct path to the house of the sorceress and dashes its horns against her door, constantly knocking on it with a great wail.

It is clear that the Devil performs these works on the cow until it is calmed through other acts of sorcery. In fact, even if these things are to be tolerated in accordance with the previously mentioned Doctors, they are still not meritorious, as some try to claim. While according to the Apostle we are taught to do everything that we do in word or work in the name of Our Lord Jesus Christ, there is an express mention of a demon, even if there is no express invocation of his name. Again, even if there is no intention in this instance to perform such acts through some implicit or express agreement, nonetheless since the person will perhaps say, "I wish to do this," then whether or not the Devil intervenes, the rashness by which the person places less importance on the fear of God offends Him. This is why He permits the Devil the power to do such things. Such people should therefore be urged to do penance and encouraged | instead to give this up and to resort to the remedies that 158A
are described below and also those above[465] in this Part (the use of Holy Water, exorcized salt and so on).

A similar judgment should be made about those who, when some domestic animal of theirs is killed by sorcery and they strive to find out the identity of the sorcerer or whether the animal has been killed by natural defect or sorcery, hasten to places where the carcasses of wild animals are skinned. They take guts of a carcass back home, dragging them on the ground. They drag the guts into the kitchen not over but under the threshold of the house, and after making a fire they place the guts over a grill. Then, as we have very often been informed by the report of those who follow such practices, as these guts are warmed and burn, the guts of the sorceress are tormented with heat and pain. Such investigators therefore make sure that the doorway of the house is very well barricaded because her pains will make the sorceress hasten to enter the house, and if she does gain entry, she removes a piece of charcoal from the fire, which puts all the torment to flight. We know that it has quite often been found that when they[466] could not | gain entry, they 158B
would then envelop the house inside and out with very thick clouds, with such terrifying uproar and screeching that everyone thought they

[464] I.e., of the Devil.
[465] 88B–89D.
[466] I.e., sorceresses.

would die in this way from the collapse of the house if the door was not opened.

Certain *experimenta*[467] can also be placed in this category. When certain people wish to discover by *experimentum* the sorceresses in a large group of women in church, they employ the following *experimentum*, since the sorceresses cannot leave the church without the investigators' permission at the end of the Divine Service. On Sunday they grease the soft shoes of the young men with lard (pork fat), as is customarily done for maintenance, and thus, when they enter the church, the sorceress will be unable to leave until the investigators either leave themselves or give the sorceresses permission to leave with an express mention[468] as above. A similar thing is done with certain words that it is not a good idea to add, lest anyone be led astray by the Devil. For neither judges nor magistrates should put unshakable faith in these words or adjust their opinion in conformity with them unless the person in question is otherwise very notorious, since under such a cover the Contriver of a Thousand Deceits could in fact besmirch the reputation of innocent women.[469] Hence, people should rather be deterred from such *experimenta* and salutary acts of penance should be enjoined, although sometimes these *experimenta* are tolerated.

158C This discussion makes clear the response | to the arguments[470] that conclude that acts of sorcery should not be broken on the grounds that to do so in the first two ways is altogether unlawful, and that even if the third remedy is tolerated according to the laws, the ecclesiastical judge should pay considerable attention to this. That the laws seem to be tolerant is clear from Chapter of the *Code* "Sorcerers,"[471] Law "*Eorum*," [*Code of Justinian* 9.18.4 (with addition from 3)] where the text says, "Others who do this to prevent the labors of men from being cast down through the crushing of the winds and hail deserve not a penalty but a reward." (Antoninus [*Summa* 1.18.4] cites this same provision with regard to laws in which canon and civil law disagree.) From this it seems that for the preservation of agricultural produce and domestic animals against

[467] For this word, see section e of the "Notes on the translation."

[468] I.e., of the Devil.

[469] An astonishing statement given the effort expended earlier (132D–133A) to prove the exact opposite, that the Devil could not in fact defame the innocent.

[470] On occasion, Aquinas omits a direct refutation of the false arguments if he thinks that they have been dealt with sufficiently in the body of the question, but given the extensive nature of the arguments adduced here, one suspects that the author felt uncomfortable with directly rebutting the great Aquinas (as well as Bonaventure).

[471] As usual, the Latin word could also be taken to mean "evil-doers."

every eventuality the laws grant that it is possible not only to tolerate certain people who follow such practices but even to reward them. It will therefore be incumbent upon the ecclesiastical judge to note whether it is only in accordance with the law's intention that the person proceeds against hailstorms and inclemency in the air by the appropriate methods (as will be explained below) or with certain superstitious acts, and in that case the judge will tolerate the procedure, provided no scandal to the Faith results from it. (In fact such a procedure should be categorized not under the third but under the fourth and fifth method; | these will 158D be treated in the discussion (in the following chapters) of the lawful ecclesiastical remedies, with an additional treatment of the superstitious acts pertaining to the fourth method.)

[Note on Sources
Major identified sources for Introduction:
Aq., *Sent.* 4.34.1.3
Nider, *Ant Hill* 5.4]

## ecclesiastical remedy against incubus and succubus demons

### Chapter One

IN the preceding chapters of Question One, which concerned the methods of affecting humans, domestic animals and the fruits of the earth with sorcery, the emphasis was on the practices that the sorceresses follow in terms of their own persons: their enticement of innocent young women in order to increase their breach of the Faith, the method by which they make their avowal and do homage, how they offer their own and other people's babies to demons, and the method by which they are transported in location. Because, I say, the only possible way for these and similar practices to be remedied is for the judges who are responsible for the sorceresses to get rid of them or at least punish them as an example for all posterity, | these sorts of remedies will be treated, not 159A at the present time but in the last part of the work, where the twenty[472] methods of proceeding and passing sentence against and in connection with the persons of the sorceresses will be discussed. For the present, it is necessary to turn our attention only to the remedies against the effects

[472] 224D–258C; for the method of reckoning the number of methods as twenty, see Pt. III n. 101.

brought about by their sorcery: first how humans affected by sorcery are remedied, then how animals and, finally, the fruits of the earth are saved.

There are three kinds of humans affected by sorcery in terms of incubus or succubus demons. The first consists of those women who voluntarily submit to incubus demons. Such are sorceresses. (It has been found that the procedure of succubi operating on men is not so voluntary, since the natural strength of reason by which men surpass women leads men to shrink from such things to a greater degree.) There is the category of those whom sorcerers caused to become involved with incubi or succubi against their will. There is a third kind, consisting particularly of certain virgins who are harassed by incubus demons completely against their will. About these it is also often presumed that they are
159B being affected with sorcery by sorcerers, because | at the insistence of sorceresses the demons must turn themselves into incubi for such persons in the same way that they very often introduce other illnesses. The purpose of this is to win these people over to their breach of the Faith.

Let us give some illustrations. In the city of Koblenz there is a poor man who is so affected by sorcery that in the presence of his wife he repeatedly performs every sexual act by himself in the way that men perform it with women. He cannot be deterred by his wife's insistence and wailing, and after completing the act one or more times, he repeats, "We want to start over again and again." Yet, bodily vision can perceive no person lying under him.[473] After prolonged harassments of this kind the poor man is dashed to the ground, completely exhausted. When, after recovering some strength, he is asked how and in what way these things happen to him and whether he had someone lying under him, he answers that he sees nothing but is so enthralled in his mind that he absolutely cannot stop. Indeed, in reference to this act of sorcery a certain woman is very much suspected of having inflicted it on him, since she threatened that poor man with insulting words to the effect that she would pay him back because of some displeasure he had caused
159C her. | Yet, no executors of the laws and of justice are available, or at any rate none who would, in a situation of notoriety and serious suspicion, take action to avenge so great a crime. They think that no one ought to be condemned unless he is convicted by his own confession or by the lawful production of three witnesses, as if the indications of the deed or the evidence consisting of serious or violent suspicions did not merit any

[473] "Lying under" is something of a pun in that the Latin verb in question (*succumbo*) is the source of the noun *succubus*.

penalties.[474] (There will be an explanation of these methods of passing sentence below, as was mentioned before.)[475]

Regarding the second variety (the one in which girls are harassed by incubus demons), it would be excessively long to give an account even for our own times, since there are certain histories filled with similar events. With what difficulty such acts can be remedied is made clear by what Thomas of Brabant says about a certain woman at the end of his work *Bees* [2.57.15]. "I saw and heard in confession a certain virgin in religious habit,[476] who first said that she had never agreed to sex, thereby letting it be understood that she had been known. Not believing her, I compelled her at the risk of her soul with arguments and harsh threats. | Finally, she confessed in tears that she had been corrupted in 159D
mind before body. She grieved as if on the point of death and confessed every day with tears, but it was not possible for her to be freed from the incubus demon through talent, effort or art or by the Sign of the Cross or Holy Water, things specifically ordained for putting demons to flight, or by the Sacrament of the Body of Christ, which is terrifying even for the angels themselves. Eventually, after many years, he was put to flight by the praying and fasting of pious Lutgardis. It is plausible (reserving the possibility of better judgment) that after she confessed about her sin with grief, the sex with the demon was a penalty for her sin rather than being itself the sin. On the Vigil of Pentecost, this woman complained to my informant, a devout nun named Christina in the Monastery of the Duchess of Brabant, that she dared not take Communion because of the importunate harassment of the demon, and Christina said to her in sympathy, 'Off you go. Sleep in peace, since you will take Communion with the Body of the Lord tomorrow. I will take upon myself your sin.' The woman departed in joy and slept in peace. She arose for prayer near dawn and in the morning took the Sacraments with full serenity. On the other hand, after Christina, who paid no heed to the sin she had taken upon herself, went to bed in the evening, she heard in her bed | what seemed to be a piglet rustling around and moving with a 160A
certain amount of agitation. Not suspecting a demon, she seized it by the neck to put whatever it was to flight. She lay down again, but she

[474] In fact, the demand that three lawful witnesses or the confession of the accused were necessary for conviction was nothing more than adherence to accepted legal procedure, which was violated by the practice of taking mere suspicion as probative evidence (see 202A–D).

[475] 159A.

[476] I.e., a nun in monastic attire.

was harassed and got up in fear. This happened several times, and finally, when the bedding was pretty much turned over, she perceived by sight that she was being harassed by the evil of a demon, so she abandoned her bed, staying awake all night. Wishing to pray, she was tormented by the demon's onslaught. As I said, she had never suffered such things before. In the morning she said to the other woman, 'I renounce your penalty, I renounce it. I barely escaped the awful Tempter's[477] violence without risk to my life."' From this affair it is possible to realize that it is difficult to remedy such an occurence, whether it happens through sorcery or without it.

There are still other means by which these demons can perhaps be put to flight, and Nider speaks of them in his *Ant Hill* [5.10]. As he says there, girls and men can be freed with five methods: Sacramental Confession; the holy practice of making the Sign of the Cross or of saying the Hail Mary; third, the use of exorcisms; fourth, a change in a specific location; and[478] cautious excommunication on the part of saintly men.
160B | It is clear from the foregoing that the first two methods did the nun no good, but they should not for this reason be neglected. It does not follow that just because a remedy helps one person, it helps another, and the converse.[479] The historical record relates that incubi have often been warded off through the Lord's Prayer or the sprinkling of Holy Water or the Hail Mary. Caesarius reports in his *Dialogue* [3.13] that after a certain priest hanged himself, his concubine entered a convent and was solicited for debauchery by an incubus. She warded him off through making the Sign of the Cross and sprinkling Holy Water, but he immediately returned. When she said the Hail Mary, however, he disappeared and withdrew far off like an arrow. Sometimes he returned, but he did not come close up to her.

The situation with the third[480] remedy (Sacramental Confession) is also made clear by Caesarius, who says that after this concubine made a genuine confession, she was completely abandoned by the incubus. He also reports that a certain man in Lüttich who suffered from an
160C incubus was completely freed at the end of Sacramental Confession.[481] |

[477] I.e., the Devil's.
[478] The word "fifth" has been inadvertently omitted.
[479] Presumably, what fails to help one person will not necessarily fail to help another.
[480] This numbering is carried over tralaticiously from Nider, though sacramental confession was renumbered as the first item in 160A.
[481] The memory of the source (Nider) seems to have failed him here, as there appears to be no such story in Caesarius, and in any case one would expect a man to be assailed by a succubus (these bother men, while incubi are assigned to women).

In addition, he sets down an illustration concerning an incluse[482] nun. Neither prayer nor confession nor any other spiritual practice could make an incubus leave her, whenever she climbed into her bed, but when she said, "Bless you," by the instructions of a certain monk, the demon left her immediately.

Regarding the fourth (a change of place), he[483] says [3.8] that when a certain priest's daughter, who had been violated by an incubus and gone insane with grief, was dispatched across the Rhine, she was abandoned by the demon, but because he had sent his daughter from the place, her father was stricken by the demon, so that he died within three days. A certain woman is also mentioned who was frequently harassed in her own bed by an incubus.[484] The harassed woman asked a devout acquaintance to lie in the bed in place of her. When the acquaintance did this, she felt certain very serious disturbances throughout the night and the other woman was peaceful.

William [*Bees* 2.3.25] also notes that incubi seem to harass woman and girls with beautiful hair more because such women pay more attention to caring for or grooming their hair or because it is their wish or habit to inflame men with their hair or because they vainly glory in it | or because 160D
the goodness of God permits this so that women will be deterred from inflaming men by the means by which the demons too wish men to be inflamed.

The situation regarding the fifth (excommunication, which perhaps is sometimes the same thing as exorcism) is made clear in the Legend[485] of St. Bernard [Caesarius, *Dialogue* 3.7]. In Aquitaine,[486] a certain woman who had been harassed by a demon for six years with incredibly perverse wantonness heard the incubus threatening her not to approach the saintly man, who was about to arrive. "It will do you no good," he told her. "To the contrary, when he leaves, I, though until now your lover, will be your most cruel persecutor." When she summoned St. Bernard, he answered, "Take my staff and affix it to your bed. Then, let the evil one do what he can." After she did this, the demon dared not enter the woman's room, but outside he kept threatening most savagely that he would persecute her when Bernard left. When he heard this from the woman, St. Bernard convened the whole populace, ordering them all to

[482] An "incluse" was a monk (or nun) who had himself permanently locked in his cell to enhance his withdrawal from the secular world.
[483] I.e., Caesarius.
[484] Another anecdote not identifiable in Caesarius.
[485] I.e., "Life."
[486] Southwestern France.

carry lit candles in their hands. Together with the entire crowd that was
161A present he excommunicated the demon and | forbade him to approach her or any other woman afterwards. In this way she was completely freed.

At this point, it should be noted that, because the Power of the Keys[487] granted to Peter and his successors is described as "over the earth" and "only on behalf of the wayfarers[488] in this life," the power of this jurisdiction has been granted for the purpose of healing the Church. It seems miraculous that even the powers of the air can be warded off by this jurisdiction,[489] but it can be said that because persons who are being harassed by demons are under the jurisdiction of the Pope and of the Keys, it is not miraculous if such powers are indirectly held at bay by the strength of the Keys, just as the Pope can also indirectly absolve souls of the penalties of purgatory's fires by the Power of the Keys, despite the fact that that power is described as "over the earth" and the souls are under the earth. It is also not safe to dispute about the Power of the Keys granted to the Head of the Church, that is, to the Vicar of Christ, since it is known that Christ granted as much power to the Church and His Vicar as God could grant to a mere human (the reason

[487] The "power of the keys" is a fundamental justification of papal authority. In Matthew 16:19, Jesus informs Peter that he will give Peter the keys to the kingdom of heaven and that whatever Peter binds or unbinds on earth will be treated the same way in heaven. The theory arose in antiquity and the early Middle Ages that Peter became the first bishop of Rome and that his successors in that capacity likewise inherited possession of the keys to the kingdom of heaven, this "power of the keys" indicating that they too had the right to make pronouncements on earth that would be upheld in heaven. Thus, the bishops of Rome were considered to be Christ's representative ("vicar") on earth, and this capacity, which distinguished the "pope" from all other bishops, was the justification for medieval developments in doctrine or practice that created institutions that either deviated from the practices or statements in the New Testament or had no basis in the New Testament at all.

[488] See Pt. 1 n. 466.

[489] This notion forms part of the elaborate system by which the angelic powers were divided into three hierarchies and nine orders: to the angels, archangels, cherubim and seraphim of the Old Testament were added the "principalities, powers, forces and dominions" mentioned by Paul in Ephesians 1:21 plus the "thrones" that he tags on in Colossians 1:16. (For the absurd lengths to which scholasticism went to define these categories individually and in terms of their relationships to one another, see Aq., *Summa* 1.108 and *Sent.* 2.9.1.) "Warding off" is a technical term for the church's ability to deter demons (e.g., Aq., *Summa* 1.108.6.Co.) and "the airy powers" signified the evil fallen angels in the air (e.g., Gregory the Great asserted that in the annunciation to Mary in Luke 1:26–38 the archangel Gabriel personifies the "fortitude" of God, and that the annunciation was made by God's fortitude "because the powerful Lord of Virtues was coming to conquer the airy powers in battle," quoted in Aq., *Summa* 3.30.2.Ra4.). Thus, these "airy powers" are the demons ("fallen" angels), who inhabit the "misty air" (see n. 187), a suggestive equation given the ability to cause stormy weather attributed to them.

for this is to benefit the Church).[490] It can also be piously surmised that if forms of sickness inflicted by sorceresses through the ability of demons were excommunicated along with the sorceresses responsible and the demons, | they would not act so savagely against the sick, and 161B that the sick would be freed more quickly if the other lawful forms of exorcism for this and other things were applied. In the area of the River Etsch,[491] as well as in other places, there is a popular story that by God's permission locusts flying in huge numbers were eating the vineyards, foliage and crops and all the plants down to the ground, and they were made to depart and suddenly killed by such an excommunication and curse. If someone wishes to ascribe this to the virtue of a man rendered saintly and not to the virtue of the Keys, be it so in the name of the Lord. The one thing that we consider certain is that neither the virtue of miracles nor the Power of the Keys necessarily presupposes the Grace that makes a person gratifying to God, since both derive from Grace graciously given.[492]

Again, it should be noted that when none of the remedies mentioned above helps, recourse should be had to lawful forms of exorcism (there will be an explanation of these below).[493] But if these are not sufficient to put the demon's evil to flight, then this harassment

[490] The notion that the pope could make rulings with reference to purgatory (the place where, according to medieval theory, souls not pure enough for entry into heaven but likewise not sufficiently evil to merit eternal damnation were cleansed ("purged") before being allowed into heaven) was topical at this time. Though for some centuries it had been claimed that the pope could grant dispensations to living individuals, it was only with the Bull *Salvator Noster* issued by Sixtus IV in 1476 that it was overtly claimed officially that the pope (and through him the church) could make decisions affecting souls in purgatory (not by virtue of the "power of the keys" directly but through the personal intervention of the pope). As upholders of papal supremacy, the Dominicans (including the authors) were bound to ward off criticism of this novel doctrine, and perhaps the argument by analogy in defense of the pope's powers over the nether regions was on the author's mind at this time, which may explain the decision to use it here as a defense of the church's power over "powers of the air."

[491] In the southern Tyrol (now in northern Italy).

[492] The distinction between "grace that makes a person gratifying to God" (*gratia gratum faciens*) and "grace graciously given" (*gratia gratis data*) is discussed by Aquinas in *Summa*, 1/2.111. 1. Basically, the former is the personal grace granted to someone that renders him "saintly," while the latter is the grace granted to someone that allows him to make others "saintly" in a "supernatural" manner (one might call this "inspirational" grace). For the argument here, see Aquinas, *Summa* 1.43.3.R4: "... the working of miracles is indicative of Grace that makes a person gratifying to God, as is the gift of prophesy or any Grace graciously given," i.e., the performance of miracles or any act whereby someone makes others pleasing to God indicates that that person himself is pleasing to God ("saintly").

[493] 170D–179A.

on the demon's part is in fact a penalty in satisfaction[494] of a sin, if, as is necessary, the harassment is endured in charity,[495] just like the other
161C evils of this world, which oppress us in such a way | as to force us to go to God.

It should also be noted that sometimes certain women are not in reality harassed by an incubus but only think that they are being harassed in this way (this is particularly the case with woman and not men, because in other respects women are more fearful and susceptible to miraculous forms in the imagination). Hence William (often cited) says [*Bees* 2.3.24], "It is the case with many people that many of the apparitions of the fantasy happen as a result of a melancholic[496] disease. This happens to women especially, which also appears to be the case with visions and revelations. The reason for this is, as physicians know, the very nature of female souls, because their souls are more susceptible to lighter impression than are men's." He adds (same place), "I know that I have seen a woman who believed that she was being known from inside by the Devil and said she felt other unbelievable things. Occasionally women also imagine themselves to be pregnant from incubi, and their bellies swell up greatly. When the birthing time arrives, they deflate through the mere expulsion of a great deal of windiness. For ants' eggs,
161D when ingested in drink, | cause unbelievable windiness and upset in human stomachs. Similar results are caused in the stomach by spurge berries[497] and the berries of the tree called the black pine.[498] It is very easy for a demon to cause similar and greater effects in the stomachs of humans."

This discussion has been added so that no one will very readily place credence in what womenfolk say but only about events to which *experimenta* have lent credibility, like those about whom they[499] have learned

494 "Satisfaction" is the third element in the Catholic conception of penance (the other two being contrition and confession) and signifies the penalty undergone by the sinner in recompense for his misdeed.

495 In its theological sense, "charity" (from the Latin for "fondness" and thus used to translate the Greek *agape* or "love") is of broader meaning than is usual in normal English. According to Aquinas, it is a gift bestowed on all those possessing "grace that makes one pleasing to God" (*Summa* 2/2.8.4.Co.), is the virtue by which a person loves God, himself and his neighbors (*Summa* 2/2. 17.3.Co.), and is the mother of all proper virtues (*Summa* 1/2. 62.4.Co.). Here, then, the word signifies the full possession of all virtues.

496 Melancholy was one of the four fluids ("humors") of which the human body was thought to be composed, and an excess of any was considered a cause of ailment.

497 The spurge is also known as "euphorbia," and its berries have a laxative quality.

498 Also known as the "Austrian pine."

499 Presumably, men.

through experience, in their own beds or as sleep companions in some other way,[500] that such things are true.[501]

[Note on Sources
Major identified source for Ch. 1:
Nider, *Ant Hill* 5.10]

## remedies for those who are affected with sorcery in the power of procreation

### Chapter Two

WHILE women are sorcerers in greater numbers than men, as was shown in Part One[502] of the work, men are more often affected by sorcery. The reason for this is the following. God gives more permission about the sexual act, through which the first sin is spread, than about the other human acts, in the same way that He also does through snakes, which better serve the purposes of enchantments than do other animals, because the snake is the first tool of the Devil. Furthermore, the sexual act can be affected by sorcery to a greater degree and more easily | in the 162A
case of a man than that of a woman. Hence, the proposition is proven.

Indeed, what was discussed is obvious. Since the demon can act on the power of procreation by five methods and these methods are brought about more quickly in men, the remedies to be applied against each should be described according to their feasibility. A man who has been made faulty in this power should note under which method the sorcery affecting him is listed.

There are five methods according to Peter de Palude in his *Commentary on Pronouncements*, Bk. 4, Dist. 34 ("On the procedure for this sorcery"). As a result of his being a spirit, the demon has power over a bodily creature with God's permission, and especially over movement in location as a result of the condition of his nature, so that he blocks or promotes that motion. Hence, through this power he can impede the bodies of a man and woman from approaching each other, either directly or indirectly. He does so directly when he removes one from the other or does not

[500] The sense is not self-evident, but it appears to mean that the men may find this out either in the women's own beds or when the women are sleeping with these men in a different bed, which may be a coy way of referring to fornication elsewhere.
[501] The entire final clause is poorly composed, but this seems to be the sense.
[502] 40A–45A.

allow the one to approach the other, and indirectly when he creates some impediment or when he places himself in between them in an assumed body. This happened to a pagan youth, who had betrothed himself to
162B an idol and nonetheless | contracted a marriage with a young woman. Because of this he was unable to know her, as was explained above.[503] The second method is when he inflames a man with yearning for one woman and makes him frigid[504] about another. He could cause this secretly through the application of certain plants and other things that he knows very well to be effective at this. The third method is when he throws a man's or a woman's faculty of estimation into confusion, thereby rendering one person hateful to the other, because, as was explained above in Part One[505] of the work, he can make an impression on the imagination. The fourth method is to repress the hardness of the member that is necessarily required for fruitfulness. The fifth method is to impede the sending of spirits to the organs in which the virtue of moving resides, as if cutting off the seed's paths to prevent it from descending to the vessels of procreation or being extracted or ejected.[506]

If someone says, "I don't know by which method the sorcery inflicted on me is categorized. What I do know is that I lack the power of procreation with respect to my wife," the following response can be given. If he is potent towards other women but not his wife, then it is categorized
162C under the second method, | since he would be made certain of the first method by a succubus demon, that is, that he was being deceived by incubus and succubus demons.[507] If he does not consider his wife hateful and yet cannot know her while being perfectly capable of knowing other women, then once again it is categorized under the second method. If he considers her hateful and cannot know her, then it is categorized under the second and the third method. If he does not consider her hateful but does not have the strength of the member[508] even though he would like to know her, then it is categorized under the fourth method. If he has the strength of the member but is incapable of emitting seed, then it is categorized under the fifth.

[503] 9B.
[504] See n. 431.
[505] 61B.
[506] A clumsy way to indicate the creation and emission of semen.
[507] This explanation is not clearly composed. The idea seems to be that the first method can be excluded in the absence of a succubus demon. Presumably the whole point of a demon adopting the wife's body is to avoid being detected, but perhaps what is meant is that if it is found out that a succubus demon is involved, this procedure falls under the first method (and "by a succubus demon" means "by his involvement").
[508] I.e., cannot get an erection.

The method of healing will be made clear when it is explained whether these methods of sorcery can affect those in and those out of Charity equally. In fact, with the exception of the fourth method, which can happen very rarely to someone who is in a State of Grace and Charity,[509] they cannot, which is explained as follows. (The reader should make the presumption that we are speaking of the conjugal act between a married couple, because otherwise the implication would be different,[510] since every sexual act outside of marriage is a mortal sin and is practiced only by those who are outside of Charity.) On the basis | 162D of the tradition of all Holy Scripture, it must be asserted that demons are given more permission by God to act savagely against sinners than against the righteous (one reads that Job, a most righteous man, was stricken, but this did not take place exclusively in terms of the power of procreation or even directly on it),[511] and therefore it should be said that when any married couples happen to be affected by such acts of sorcery, it is a sign that either both persons or one of them is outside of Charity.

In fact, the basis for this is derived from the Scriptures both by authority and by reason. For the angel said to Tobias, "The demon receives power over those who devote themselves to lust" [Tobias 6:17], and the effect demonstrated the truth of this, since he had killed the seven husbands of the virgin Sarah [Tobias 3:8].[512] Likewise, Cassian in his *Conference with the Fathers* [8:19]: "St. Anthony declares that in no way can the demon assault someone's mind or body unless he first deprives it of all saintly thoughts and renders it empty and bereft of spiritual contemplation." These words clearly can be applied to bodily sorcery affecting the entire body totally, since Job was not bereft of God's Grace, though he was stricken with such sorcery, but they can be applied to specific circumstances, | that is, when a specific act of sorcery befalls 163A the body because of some sin (in fact this can only be the sin of sexual immorality).[513]

[509] See n. 495.
[510] I.e., the implication would be that there is a lack of grace and charity.
[511] See n. 513.
[512] See n. 23.
[513] This distinction between "total" and "specific" sorcery has been introduced into the original passage. The source (Nider) states that God generally grants the devil greater power over sinners than over the righteous, but allows that the devil was granted power over the righteous Job. The author of the present passage apparently disliked this concession, and revised it so that the exception now applies to the part of the body over which the devil has power. Thus, those who have been affected only in the power of procreation must not be in a state of grace, the example of Job notwithstanding.

Reason.[514] As has been stated, because of the foulness of that act and because the First Sin[515] was spread through it, God gives more permission with reference to this than the other human acts. Accordingly, even in a married couple, when they are bereft of God's help because of sin, He gives more permission for them to be affected by sorcery in connection with the power of procreation. If someone asks what sort of sins these are, it can be said that since the sins of sexual immorality that exist among married people are various according to a passage of Jerome [*Against Jovinianus* 1.49] (it is stated in the text, "One who is an overly ardent lover of his own wife is an adulterer"), and since lovers of this kind are more often affected by sorcery in the areas mentioned above, the Church has two sorts of remedies. One procedure is followed in the forum of the law, the other in the forum of the conscience.

The former. If it is claimed in court that impotence had been inflicted through sorcery, then a distinction is to be made on the basis of whether such impotence is temporary or permanent. If temporary, it forms no
163B impediment, and it is presumed to be temporary in a situation where | a couple, who are living together and making an effort[516] to the best of their abilities, can be healed within the space of three years, either through the Sacraments of the Church or through other remedies. If, on the other hand, they are not healed with any remedy, the impotence is henceforth judged to be permanent.[517] This impediment either precedes the contraction and consummation of the marriage, in which case it impedes the contraction and dissolves the marriage once it is contracted, or it follows the contraction but not the consummation of the marriage, which is a common method of affecting men with sorcery when they reject their girlfriends. In this instance, girlfriends, who have been rejected as partners in marriage and cheated, inflict acts of sorcery on the men so that they cannot couple with other women.[518] In such a case, as some say, the impediment dissolves a marriage already contracted unless the couple wish to live together in sexual abstinence, as did Mary and Joseph.[519] Such people have the Canon on their side.

[514] I.e., an explanation based on logic rather than the authority of scripture previously cited.
[515] I.e., original sin.
[516] I.e, to have sex.
[517] This distinction is not expressed in a logical manner. What is meant is that until three years have passed, the impediment is presumed to be temporary, and if the problem remains after three years of legitimate efforts to cure it, then it is judged to be permanent.
[518] See 94C, 136A–B.
[519] Despite references in the gospels to Jesus' siblings, notions of Mary's purity led to the development in antiquity of the doctrine that she and Joseph never had sex, even after the birth of Jesus. This basic Catholic tenet was accepted by the mainline leaders of the Reformation (like Luther and Zwingli) but has been abandoned by most Protestants since then.

For it says (33, Q. 1 [*Decretum* 2.33.1. Part 1 §1]) that a marriage is consummated by the duty (that is, "of the flesh") as the gloss says. A little bit later it says that before consummation the impossibility of performing the duty dissolves the bond of marriage, but if it follows the consummation of the marriage, it does not dissolve the matrimonial bond.

Many other | notes are made by the Doctors. Since these are not 163C
specifically relevant to the present investigation and are noted in various writings of the Doctors where they treat the impediment caused by sorcery, this material should be omitted here. If, however, someone raises the difficulty about the way in which that act can be impeded in respect to one woman and not another, Bonaventure answers [*Sent.* 4.34.2.2.Ra4], "This is either because the fortune-teller[520] summoned the Devil for this in respect to a specified person or because God does not give His permission for an impediment in respect to just any person. In this case, there is an underlying hidden judgment of God, as in the case of the wife of Tobias." How the Devil could do this is clear from the foregoing. Bonaventure says at this point, that he impedes the power of procreation not by harming the organ with an internal impediment but by impeding the use of it with an external impediment (such an impediment is caused not by nature but by art, and in this way he can make an impediment in connection with one woman and not the others) or by taking away the excitement of lustful desire towards that woman or another through his own virtue or through a plant or stone or some hidden nature. In this Bonaventure is in reasonable agreement with the words of Peter.

The remedy of the Church in the forum of the conscience is related in
33, | Q. 7 "*Si per sortiarias*": "If through the arts of magicians or sorcerers 163D
sexual intercourse sometimes does not ensue through the permission of God's hidden and just judgment and through the preparations of the Devil, those to whom such things happen should be urged to make a genuine confession of all their sins to God and a priest with a contrite heart and a humbled spirit, and to make satisfaction to the Lord with plentiful tears, generous alms-giving, prayers and fastings." In these words it is noted that such things happen only because of sins and only to those outside of the state of Charity. The text continues, "The ministers of the Church should bring about a cure through the exorcisms and the other sorts of protection offered by the Church's medicine, to the extent

[520] This is just a synonym in Latin for "magician."

granted by the Lord, Who healed Abimelech and his house through the prayers of Abraham."[521]

Hence, we can say in summation that there are five remedies that can be lawfully used on people affected by sorcery in this way: pilgrimage to the shrines of Saints; confessing one's sins there with true contrition; repetition of the Sign of the Cross and of devout prayer; lawful use
164A of exorcism through sober words (how this is done | will be explained below);[522] and the cautious removal of the device for sorcery (relevant to this is the previous discussion about the count who had been unable to know the virgin he had married for three years).[523]

[Note on Sources
Major identified source for Ch. 2:
Nider, *Ant Hill* 5.5]

## remedies for people affected by sorcery in terms of irregular love or hatred

### Chapter Three

LIKE sorcery in the power of procreation, infatuation and hatred are caused in the will. It is a good idea to trace, first, its cause and, then, the remedies for it, to the extent that this is possible.

Infatuation or irregular love on the part of one sex towards the other can arise from three causes: sometimes merely from incautious looking, sometimes only from a temptation made by demons, and sometimes from the sorcery of nigromantics and sorceresses together with demons.

Regarding the first, it says in James 1[:14–15], "Every single person is tempted, being led astray and enticed by his lustful desiring. Then, when his lustful desiring has conceived, it gives birth to sin. When the sin is consummated, it begets death." In this way, after Sichem saw Dinah as
164B she was going out to visit the women of the area, | he fell in love with her, seized her and slept with her, his soul becoming glued to her (Gen. 34[:4]). According to the gloss, "This is what happens to a sick soul when it places less importance on its own affairs and looks after another's. It is

[521] In Gen. 20, God becomes angry with King Abimelech for taking Sarah, the wife of Abraham, and makes Abimelech's women barren. After Sarah is returned, Abraham intercedes on Abimelech's behalf with God, who restores the women's fertility.

[522] 170D–179A.

[523] See 95A–95C.

led astray by habit and in single unity an agreement with unlawful acts is made."

The second cause arises from temptation originally made by demons. In this way, Ammon fell in love with his very beautiful sister Tamar and became so completely besotted with her that he grew sick because of his love for her (2 Chron. 13[:1–2]). He could not have been so entirely corrupted in his mind as to rush into the very great crime that is incest if he had not been severely tempted by the Devil. The *Book of the Saintly Fathers* is also full of stories of this kind of love. It reports that certain Fathers who had removed every temptation towards carnal love from themselves in the wilderness were still sometimes tempted more than can be believed by the love of women. Hence, in 2 Cor. 12[:7] the Apostle says, "I have been given a goad for my flesh, the angel of Satan, who is to thrash me." Here, the gloss says, "'Through temptation by lust was the goad given,' as some say. But temptation to which assent is not given is not a sin but an opportunity | for practicing virtue." This is understood 164C
in terms of temptation from the Devil and not from the flesh, which is a venial sin even if agreement is not given to it. It is possible to read assorted illustrations about these topics in various sources.

As for the third (that love felt for a mistress derives from acts of sorcery on the part of demons and sorceresses), the possibility of this is treated at length above in the questions of Part One ("Whether demons are able to change or incite minds of humans toward love or hatred").[524] It is also proven through various deeds and events discovered by us. Indeed, among all the varieties of sorcery it is considered very great[525] because of its frequency.

If it is asked, "Peter is infatuated with love for Such-and-Such and so on, but it isn't known whether this is through the first, second or third method," the response is that the working of demons can create hatred between spouses along with the crime of adultery, but in situations when someone is so ensnared in and inflamed with the venom of carnal love that no shaming, blows, words or actions can force him to stop, when someone often sends away a beautiful wife and clings to a very ugly woman, and when they cannot even sleep during the night-time | 164D
but are so deranged that they have to walk through every trackless area (noblemen, prelates and other rich men are very often tangled up in

[524] 46A–52B.

[525] The text says the exact opposite ("very insignificant"), but other passages (95C–D, 136A–B) suggest that this motive is far from insignificant, and the requisite emendation (changing *minimum* to *nimium*) is easily justified.

such wretched affairs), this is certainly the "womanly time" about which Hildegard foretold, as Vincent reports in the *Mirror of History* [31.108], that it would not last as long as it has.[526] For it has subsisted down to the present time, since the world is now full of adultery, especially among the noblemen. And what a task it is to write about remedies for those who shun remedies! Yet, in order to satisfy the pious reader, let us discuss some of them briefly.

As for infatuation without sorcery, Avicenna lays out seven remedies[527] for the situation where it makes a person sick, but this is not especially germane to our investigation except to the extent that these remedies are mystically useful for a faint soul. He says in Bk. 3[528] that on the basis of variation in the pulse when the beloved is named, which is where the root of the sickness lies, there should be union in marriage, if the law allows, because they are cured when nature is complied with. Or medicines that he describes and teaches about in that passage should be applied. Or the sick man should use lawful means to turn his attachment from what he loves to loving something that he ought to prefer to it. In
165A this way, he will shun the presence of what he loves, since | his mind is distracted. Or if he is susceptible of correction, he should also be made miserable, it being impressed upon him that the work of love is the height of wretchedness. Or people should be sent to him to vilify the beloved's body, character and habits as far as the truth and God allow, transforming the beloved's appearance into something base or ugly. Or, finally, the infatuated should at least be kept busy with difficult tasks or distracting duties.

In truth, while the animal man is healed through remedies of this kind, they reform the inner man (each being interpreted individually in a spiritual sense).[529] Let the law of the mind be obeyed rather than that of nature. Let him turn his affection to eternal pleasures. Let him remember how transient his delights are and how eternal his torments. Let him seek pleasures in that life where they begin without having any

[526] A predication made in 1188, according to Vincent, by the female St. Hildegard of Bingen, who is here apparently considered to be a man (presumably, the author knew nothing more about her than was found in the source).

[527] Nider, the source for this passage, indicates that the first of these seven remedies is to learn the name of the person for whom the infatuation is felt through the confession of the person infatuated or through a change in the infatuated person's pulse rate when the name of the infatuator is mentioned. Here, this remedy has been converted into a pre-requisite to the others, which reduces the number of remedies to six.

[528] Ultimate source unknown.

[529] Here, the seven practical remedies borrowed from Nider are reinterpreted in a metaphorical religious sense.

ending. The man who refuses to love that life will lose it and not find it, being consigned to the eternal flames. Here are the three losses that result from the love felt for a mistress!

As for infatuation that results from sorcery, in this instance too it is not inappropriate to apply the remedies discussed in the preceding chapter, especially exorcism through Holy Words, which | the person 165B affected by sorcery can use on himself in the following way. Every day he should summon the holy angel delegated by God to protect him, and with genuine confession he should make frequent visits to the shrines of the Saints, especially those of the Most Blessed Virgin. Without a doubt he will be freed. How reprehensible it is that men with beards[530] should decline to protect themselves, casting aside the gifts of nature and the weapons of the virtues! For it is very often the case that little girls have used these weapons to repel acts of sorcery of this kind with invincible infirmity. In commendation of these girls, let us bring forward one of many illustrations.

In a certain country village near Lindau in the diocese of Constance, there was a grown-up virgin who had a beautiful face and a refined character. Captivated at the sight of her, a certain man, who was unreliable in character and virtually in name alone a cleric (would that he were not a priest!), was unable to conceal the wound suffered by his mind any further and went to the workplace of this virgin. First presenting himself with respectable words through the demon's snares, he finally dared an attempt to cajole (only with words) the virgin's spirit into loving him. Perceiving this at God's instigation, she kept her mind and body unharmed and answered manfully, "My lord, do not visit my home with such words. | Otherwise, you will meet with rejection when modesty 165C intervenes." To this he said, "You may decline to cherish me now when advised to with sweet words, but not long from now you will love me under the compulsion of works, I promise you." This infamous man was suspected of being an enchanter and of practicing sorcery, but the virgin considered these words to be hot air. At that time she felt within her not even a spark of carnal love for the man, but after the passage of a short time she began to have erotic imaginings about him. Perceiving this, she fled through God's inspiration to the Mother of Mercy[531] and besought her most devoutly to get help from her Son. Immediately, she sought respectable company and began a pilgrimage to The

[530] I.e., adults; see 165C–D.
[531] I.e., the Virgin Mary.

Hermitage[532] (such being the name of a church in this diocese that is dedicated in honor of the Miraculous Mother). There she made Sacramental Confession so that the evil spirit would not be able to make any discovery in her, and after she poured forth prayers to the Mother of Piety, every contrivance of the Foe[533] instantly stopped and he never touched her again.

Yet, there still remain bearded men who are importunately propositioned by sorceress womenfolk | about such things, as if these men could in no way restrain themselves from being infatuated with them. But however much they may feel themselves being assailed without provocation through the allurements of the imagination, when they resist like men, the use of the means of protection discussed above allows them to overcome all the Devil's stratagems.

165D

Here is a true reflection of this battle. There was a very rich young man in the town of Innsbruck, and no one could even describe in writing the extent to which he was assailed by sorceresses. Yet, he always maintained a manly spirit and escaped unharmed through the remedies mentioned above. Hence, it is just to reach the conclusion that the remedies mentioned above are a very sure protection against a disease of this kind, so that whoever uses these weapons will most certainly be freed.

What is understood about irregular love should also be understood about hatred, since the doctrine about opposites is the same,[534] but since there is some difference in the manner of inflicting the sorcery, the person who is hated ought to require a different remedy. If he is an adulterer, the man who feels the hatred and carries it in his heart cannot be readily returned to feeling love for his wife, even through pilgrimages.

It has been discovered through the accounts of sorceresses that the acts of sorcery that cause hatred | are brought about by means of snakes. Since the snake was the first tool of the Devil and as a curse on it received the enmity between it and woman, sorceresses constantly contrive to bring about such enmities with snakes by placing the skin or the head of a snake under the threshold of the doorway to a room or the house. For this reason, with reference to their own dwellings or instances when they live in someone else's house, all the corners of the house should be thoroughly examined and restored as far as is possible.[535]

166A

[532] See n. 452.
[533] I.e., the Devil.
[534] Another scholastic aphorism.
[535] The Latin is poorly composed here, but for the sense see 175A.

When it was said that people affected by sorcery are able to exorcize themselves,[536] it is certainly understood that they can carry Holy Words, blessings and chants with them on their necks if they do not in fact know how to read or to bless themselves. How these acts are to be carried out will be explained in the following.

[Note on Sources
Major identified sources for Ch. 3:
Nider, *Ant Hill* 5.5, 6]

## Remedies for those from whom the male member has been removed through the magical art and for the instances when humans are transformed into animals

### Chapter Four

AS FOR THOSE UPON whom an illusion is played by the art of conjuring, so that they think that they lack the male member or have been transformed into animals, | the remedies by which they can be helped 166B
can be deduced quite evidently from the foregoing.[537] Since such people are altogether deprived of God's Grace, this being the initial element that lays the foundation in the case of those affected by sorcery, it is not possible for a healing balm to be applied while the weapon remains in the wound. Hence, it is a good idea that above all a reconciliation with God should be effected through true confession.

Next, as was discussed above in Chapter Seven[538] of Part One[539] of the work, such appendages are never in reality torn or separated from the body but are merely hidden with reference to the senses of touch and sight through art of conjuring, and it was also explained that illusions of this kind are not readily played on those in a state of Grace, either in an active or a passive way,[540] so that the appendages would be taken away from them or they would be deluded in their power of sight as if the members had been taken away from others. Therefore, the remedy is

[536] 165A–B.
[537] 162C–163D.
[538] 115D–116D.
[539] I.e., Q. 1 of Pt. 2.
[540] I.e., an "active" delusion played on the senses of a person with reference to himself or a "passive" one played on the senses of others in their perception of him; see 117C–D.

also stated in that chapter along with the disease itself: as far as possible they should reach a friendly settlement with the sorceress.[541]

Finally, regarding those who think that they have been transformed into animals, it should be known that this sort of sorcery is not practiced in the kingdoms of the West in the same way that it is in those of the East.[542] (Understand "in terms of other people," though in terms of the
166C sorceresses' own person | it has been seen quite often among us[543] that the sorceresses have showed themselves to the eyes of viewers in the guise of animals, as was concluded above in Chapter Eight,[544] and hence the remedies that will be related in Part Three of the work, which concerns the eradication of the sorceresses through the secular arm, would also be applicable.)

How Easterners remedy such illusions is explained as follows. We have learned many things about these remedies through accurate accounts told by military friars of the Order of St. John of Jerusalem in Rhodes,[545] and in particular the following event took place in the city of Famagusta in the Kingdom of Cyprus.[546] There is a port there, and when a certain ship that was laden with commercial goods put in, foreigners debarked from the ship so that the individual travelers could supply themselves with provisions.[547] One of these was a hearty young man, who approached the house of a woman that was situated above the shore outside the city and asked the woman if she had eggs for sale. The woman saw that the hearty young man was a merchant from abroad, which meant that his disappearance would cause less suspicion among the locals. She said, "Wait a moment and you will get everything you

[541] 115D.

[542] It seems that the distinction of "east" vs. "west" refers to the division of the Mediterranean into a Catholic sphere in the west and an Orthodox one in the east.

[543] I.e., westerners.

[544] 118D–121A. This chapter deals with the method of transforming others into beasts, but there is no treatment of the issue of sorceresses transforming themselves (cf. the bizarre anecdote in 87C).

[545] The Hospitallers were a military religious order associated with the crusades. They held Cyprus from 1291 to 1307.

[546] The island was seized from a Byzantine governor during the Third Crusade in 1191 and given to the exiled line of the kings of Jerusalem. In 1489, the island passed to the Venetians, from whom it was captured by the Ottoman Turks in 1572.

[547] This story, presumably of Genoese origin, is clearly a Christianized version of Apuleius' *Metamorphoses*, a pagan story composed in the second century after Christ. In the latter, the hero has an altercation with a sorceress, who transforms him into a donkey, though he retains his human mind. He then suffers various indignities as he tries to act like a human in the guise of an animal. In the end, he is restored to his original form through the redemptive powers of the goddess Isis. This tale was popular in the Middle Ages under the title *Golden Ass* ("golden" referring to its quality as a tale and "ass" to the appearance of the protagonist). This Christian version was to become a popular tale, but it is first attested here.

desire." | Locked inside the house, she caused a delay, and the young 166D
man began to shout from the outside that she should finish his business as soon as possible to avoid making him miss his ship. Some[548] woman then brought some eggs and gave them to the young man, telling him to return to her if he missed the ship. He hurried off at a quick run to the ship, which was on the shore, and before embarking, he undertook to eat the eggs[549] and refresh himself since his fellow passengers had not yet arrived. An hour later he all of a sudden became mute and virtually senseless, as he himself would later relate. Wondering what had happened to him, he could not make a guess. When he then tried to go on board, the people who were waiting there beat him off with walking sticks. They all shouted, "Look, look! What's up with the donkey? Curse you, beast! You don't think you're going on board, too, do you?" He was driven off in this way, and since he understood the words of the people, who stated that he was a donkey, the young man mulled the matter over. He began to think that he had been tainted with sorcery at the hands of the woman, particularly in light of the fact that he could not form a word, though he could understand everyone else. When he again tried to embark upon the ship, | he was pummeled with heavier blows, and 167A
with a bitter heart he had to stay behind and watch the ship depart. As he ran this way and that, he was necessarily treated by everyone as an animal, since everyone viewed him in their estimation as a donkey. Under compulsion, therefore, he returned to the house of the woman, and he served at her beck and call for more than three years to maintain his life. Doing no work with his hands apart from carrying the household necessities consisting of wood and wheat, he also carried the things that had to be carted off like a beast of burden. The only consolation left to him was that while everyone else considered him a domestic animal, the sorceresses, whether gathered as a group or individually, recognized him as a true human when he behaved like a human in his walk, bearing and deportment.

If it is asked how the burdens were placed on him as if on a beast of burden, it should be said that our judgment about this occurrence is clearly based on the stories that Augustine relates about the tavern women who turned their customers into beasts of burden (*City of God*, Bk. 18, Ch. 17) and about the father of Praestantius, who related that he

[548] This reference to "some" woman is odd, in that the narrative elsewhere seems to speak as if only a single woman was involved, though at the end of this paragraph there is an isolated mention of "sorceresses" (the Latin form is not gender-specific and could signify "sorcerers").

[549] Presumably, hard-boiled.

had been a nag (horse)[550] and had hauled grain with the other animals.[551] Hence, three sorts of illusion were played through the art of conjuring.
167B First, in terms of | the humans seeing the young man not as a human but as a donkey, there was an explanation above in Chapter Eight[552] about how demons can easily cause this. Second, these burdens were not an illusion. Instead, when they surpassed the young man's strength, the demon would carry them invisibly. Third, when the young man interacted with other people, he seemed to himself to be a domestic animal, but only in his imagination and faculty of estimation, which are attached to bodily organs, and not in his reason, which was not hobbled by God so that he would not understand that he was a human. Instead, the art of conjuring played a trick, so that he was considered to be an animal in his estimation according to the explanation about Nebuchadnezzar in that passage.[553]

Three years passed in this manner, then one day in the fourth year, he entered the city before noon while the woman was following far off, and it happened that the young man affected by sorcery in this way passed a church in which Divine Service was being celebrated. Hearing the bell (Divine Service is carried out in that kingdom by the Latin rite and not the Greek),[554] he turned toward the church for the Elevation of the Body of Christ. Not daring to enter for fear of being driven off with blows, on the outside he placed his rear knees and lower legs on the ground,
167C | and joining together his front feet, that is, his hands, he raised them up, viewing the Sacrament at the point of the Elevation from what was thought to be a donkey's head. When certain merchants from Genoa saw this wonder in astonishment, they followed the donkey. While they were discussing the miraculous work among themselves, lo and behold the sorceress was driving the donkey along with a staff. Because, as has already been stated, acts of sorcery of this kind are very often practiced in those regions, at the insistence of the merchants the donkey was taken into custody along with the sorceress. After being interrogated and exposed to questioning under torture, she confessed the crime and promised that she would restore the youth to his own form so that he

[550] The difference here is one of style rather than substance; the low-register term *caballus* (strictly speaking a "nag") came to replace the standard form *equus* as the normal word for "horse" in later Latin (and in the Romance languages).

[551] For these stories, see 119D–120A.

[552] 120A–B.

[553] 120B.

[554] I.e., because the island was ruled by a western dynasty, the religious establishment was Catholic rather than Eastern Orthodox, as one might expect since the local inhabitants were Greek.

could return home. Upon release, she returned home and the young man was restored to his original form. Arrested again, the sorceress paid the due punishment for the crimes she had committed, and the youth returned home in joy.

## REMEDIES FOR THOSE UNDER SIEGE AS A RESULT OF SORCERY

### Chapter Five

THERE WAS SUFFICIENT EXPLANATION above (Chapters Nine and Ten)[555] about how demons sometimes inhabit humans in substance, and about the reasons why this happens: not only for one's own serious crimes | but sometimes for one's own greater merit or for someone else's 167D
insignificant misdemeanor or for one's own venial sin or for someone else's serious sin or for someone else's own[556] crime. For these reasons different people are possessed in different ways, some to a greater degree, others less, as Nider recounts in his *Ant Hill* [5.11]. It is no wonder if, through sorcery or at the insistence of a sorceress, a demon, with God's permission, inhabits a human in substance in the manner explained there (which should be taken to mean "in substance"). The illustrations cited there and the freeing of the priest from Bohemia have demonstrated the remedies by which they can be freed, that is, through the exorcisms of the Church and also by true contrition (confession) in a situation where someone had been assailed for a mortal sin. It is also explained in Nider's discussion that in addition to these two remedies three others (Holy Communion in the Eucharist, visiting holy places and the prayers of good men, and absolution from excommunication) also are able to lend assistance. It is good idea to cite this discussion too, since not everyone has access to the necessary treatises.

Cassian (*First Conference*, on the Abbot [7.30]) says the following about Holy Communion. "We have no recollection that Sacrosanct Communion handed over to spirits of evil was forbidden by our elders.[557]

[555] 121A–130D.

[556] An error in the adaptation of the source (Nider); the text should read for "one's own great crime."

[557] This sentence is a misreading of the source (Nider), who actually said, "I have no recollection that Sacrosanct Communion was forbidden by our elders to those handed over to spirits of evil." (The change in the Latin is minor, and may simply reflect an error of transcription at some stage.)

168A | Rather, they even thought that if possible, it should be given to them every day since it is necessary to believe that it serves the purpose of cleansing and protecting the body and spirit. When taken by a person, it burns with a certain fire the spirit that is lying in wait in his limbs or trying to lurk in them and puts that spirit to flight. This is how we recently saw Abbot Andronicus healed. The spirit will leap at the person offended,[558] when he sees that that person has been removed from God's medicine. For the further away he perceives him to be removed from the spiritual remedy, the more harshly and frequently will he attempt to afflict him."

Again, he says of these remedies in the same passage, "Here there should be unshakeable belief in two things. First, no one at all can be tempted by these spirits without God's permission. Second, everything imposed upon us by God, whether it seems grim or joyous, is inflicted for our benefit as if by a most pious father or a most merciful physician. Therefore as if handed over to school teachers, these people are being humbled so that when they leave this world, they will be either transferred to the other life in a more cleansed state or punished with penal rigor. According to the Apostle, they have been handed over to Satan
168B in the present life | for the death of the flesh, so that their spirits will be saved on the day of Our Lord, Jesus Christ [1 Cor. 5:4–5]."

At this point, a doubt arises. When the Apostle says, "Let man test himself and in this way eat of that bread" [1 Cor. 11:28], how can those under assault take Communion when they do not have use of their reason? St. Thomas gave the answer to this in *Third Part*, Quest. 80 [*Summa* 3.80.9], making the following distinction about all those who are out of their minds. "There are two ways in which people are said not to have use of their reason. In one way, they have a feeble use of their reason, and in this way someone who sees poorly is said to be unseeing. Because such people can conceive some devotion for this Sacrament, it should not be denied to them. In the other way, some who are said not to have use of their reason have been in this state continually since birth, and this Sacrament should not be given to such people, because the devotion to this Sacrament has made no progress at all in them. Others have not always lacked the use of reason, and in that case if devotion for this Sacrament was evident in them in the earlier period when they were

[558] Here there is a meaningless deviation from the source (Nider) that involves a simple change of one letter (a mistake that could be attributed to the author's text of Nider, an error of adaptation, or a slip by the compositor). Nider reported that Cassianus said that the spirit would "leap at the offense," a not entirely pellucid expression.

in control of their minds, it ought to be given to them at the moment of death, unless there happens to be some fear that they may throw it up or spit it out. Hence, one reads from the Acts of the Council of Carthage (this is contained in 26, Q. 6, [*Decretum* 2.26.6.8]), 'If someone seeks repentance during illness, and it happens that while the priest who has been summoned | is coming, the person has been overwhelmed by the 168C
illness so that he becomes mute or goes insane, let those who heard him bear witness, and if it is thought that he will promptly die, let him be reconciled through the laying on of hands and let the Eucharist be poured into his mouth.' The same principle applies to baptized people who are being harassed bodily by unclean spirits and to others who are out of their minds."

He adds in *Commentary on Pronouncements*, Bk. 4, Dist. 9 [*Sent.* 4.9.1.5c.Ra2] that Communion should not be denied to those possessed by demons unless it happens to be certain that they are being tormented by the Devil for some crime. To this Petrus de Palude adds [*Sent.* 4.9.4.2] the following. "In this case, they should be considered as people to be excommunicated, who have been handed over to Satan."

From these statements it is clear that if some people are possessed by demons, even because of their own crimes, but, during intervals of sanity when they have use of their reason, they are converted from their sins or make due confession, then, since such people have been absolved before God, they should in no way be held back from Communion in the Most Holy Sacrament of the Eucharist.

As for visiting saintly men or their devout prayers, the lives of the Saints are filled with examples of how people under assault are in fact powerfully freed by these means. For the merits of the saintly martyrs, confessors and virgins dictate the conquest of these evil spirits through the prayers and intercession of the Saints in their Heavenly Homeland, | since the Saints conquered them on their spiritual journey on earth. 168D

It is likewise read that the devout prayers of such wayfarers[559] on earth have often obtained the liberation of those under assault. Hence, Cassian (cited above) urges this: "If we hold this pronouncement, or rather faith, as described by me above, that everything is in fact done by the Lord for the benefit of souls and that all things are arranged for this, not only would we not despise these people at all but we would pray for them without stop as if for our own limbs and have sympathy for them with all our hearts and all our feeling."

[559] See Pt. 1 n. 466.

As for the last way (absolving someone of excommunication), it should be known that this is neither common nor perhaps lawful except for someone who has authority and a special revelation or a reasonable presumption to the effect that someone is possessed because of the Church's excommunication, just as the Apostle (1 Cor. 5) handed over the Corinthian fornicator, who had been excommunicated by himself and the congregation, to Satan for the death of his flesh, so that his spirit would be saved on the day of Our Lord, Jesus Christ, that is, as the gloss says, until his illumination through the Grace of Contrition or until his judgment. He also handed over to Satan the pseudo-doctors (Hymenaeus and Alexander) who had lost the Faith, so that
169A they would learn not to blaspheme (1 Tim. 1[:20]).[560] | "The Apostle," says the gloss, "possessed such power and had such Grace that he could hand over to the Devil by word alone those who deviated from the Faith."

Hence, in *Commentary on Pronouncements*, Dist. 18 [4.18.2.1b.Ra3], where St. Thomas relates the three results of excommunication, the Doctor explains them as follows. "By the very fact that someone is deprived of the assistance provided by the Church, he suffers three sorts of harm because of the three things that someone achieves through the assistance provided by the Church. These things can increase Grace for those who have it or to earn it for those who do not. With reference to this, the Master[561] says that Grace is withdrawn through excommunication. These things can also guard virtue, and with reference to this, the Master says that protection is withdrawn not because they are completely excluded from God's providence, but because they are excluded from the providence that guards the sons of the Church more specifically. It is also able to defend them against the Foe.[562] In reference to this, he says that greater power is granted to the Devil to act with savagery against him, both in body and in spirit. This is why in the time of the primitive Church,[563] when it was necessary to attract people to the Church through signs, the Holy Spirit became manifest through a visible sign. Thus, the excommunicate was marked out by the Devil through bodily

[560] Paul begins the letter by saying that when he had gone to Macedonia, he had instructed Timothy to stay in Ephesus and keep an eye on certain people who were spreading what Paul took to be false doctrine. Apparently, Hymenaeus and Alexander had refused to heed Timothy's warnings, and this "handing over" to Satan is Paul's response. In typical medieval exegesis, this act is equated with the full procedure of excommunication, which was developed much later.

[561] Peter Lombard.

[562] I.e., the Devil.

[563] I.e., in the days before it became officially recognized by the Roman state under Constantine.

harassment. It is also not inappropriate if the person who is not hopeless is given to the Foe, | because he is not being given for damnation but for 169B correction, since it is in the power of the Church to save him from the Devil's hand when it wants to."

If the exorcist absolves the person under assault conditionally,[564] this does not seem inappropriate, but Nider goes on to say that the exorcist should take strong precautions against readily making presumptions about his powers or mixing a joke or game into the serious work of God or adding something superstitious or suspected of sorcery. Otherwise, he will hardly escape punishment, as is explained by illustrations.

Regarding the first, St. Gregory has a story (*Dialogues*, Bk. 1 [1.10.2]) about a certain woman who contrary to her conscience asked for and received from her husband the repayment of the conjugal debt during the vigil of the dedication of the Church of St. Sebastian.[565] Because she joined in the procession of the church contrary to her conscience, she was possessed and went insane in public. At the sight of this, the priest of the church took the cloth from the altar and covered her with it. The Devil at once attacked the priest, and because the priest wished to usurp something beyond his powers, he was forced in his harassment to recognize what he was.[566]

As for the second point (that no one should make a joke about the office of being an exorcist, which concerns a Holy Order), | Nider reports 169C that he saw in the convent[567] of Cologne a friar who was fairly jocular in speaking but famous for the Grace of driving out demons. When this brother was constraining a demon in a body under assault within the monastery, the demon asked the brother where he should go. The brother rejoiced at this and as a joke said, "Go into my latrine!" The demon then departed. At night, when the brother wished to empty his bowels, the demon tormented him so savagely by the latrine, that it was only with difficulty that the friar saved his life.

[564] The expression *ad cautelam* seems to refer to the practice of granting absolution conditionally or provisionally. In the later Middle Ages, the practice arose of granting absolution on the condition that some provision had to be fulfilled (with reference either to the past or the future) in order to make it valid. As late as the fifteenth century, the validity of this practice was disputed, but it is now considered acceptable Catholic procedure.

[565] The "conjugal debt" is sexual intercourse, and it would seem that the woman considered it inappropriate to engage in sex on the night before the feast but did so anyway. It would seem that lack of scruple on the part of the husband allowed him to indulge in the sex without consequences.

[566] Apparently, the devil in his capacity as chastiser outranked the priest in his capacity as the shepherd of his flock. Hence, what the priest recognized himself to be was "inferior to the task."

[567] I.e., of Dominicans.

In addition, particular precautions should be taken to ensure that those under assault through sorceresses are not led to seek the protection of sorceresses. Hence, Gregory adds the following about the woman mentioned before.[568] "Her relatives, who loved her in the flesh and in loving her were persecuting her, handed her over to sorceresses to get a remedy to regain her health. She was brought by them[569] to a river, and when she was immersed in the water, she was buffeted with many incantations. Whenever one demon was supposed to be driven out, a legion[570] entered in turn and now began to shout with their separate voices. Then the relatives made confession and in grief at their action brought her before St. Fortunatus the Bishop, who cured her completely with constant prayers and fasts.

169D It has been said|that exorcists ought to take precaution against adding anything superstitious or suspected of sorcery, and the exorcist could be doubtful as to whether he could also use certain plants or rocks that have not been blessed. Response. If the plants are blessed, so much the better. If they are not, for instance a certain plant called "devil's flight,"[571] or if someone uses the natures[572] of stones, this will not be superstitious so long as he believes that these items are not directly compelling the demons by their own nature, since in that case he would fall into the error that the demons can similarly be compelled by other plants or words. Such is the erroneous claim of the nigromantics, who think that they achieve results through the natural or inherent virtues of such items. Hence, St. Thomas in *Commentary on Pronouncements*, Bk. 4, Dist. 7, last art. [actually, *Sent.* 2.7.3.2.Ra2] says, "It should not be believed that demons are subject to certain bodily virtues, and accordingly they are not forced by any incantations and acts of sorcery, except to the extent that a treaty is thereby entered into with them according to what is said in Isaiah 18 [actually, 28:15] ('We have struck a treaty with death and

[568] 169B.

[569] It is interesting that while the source (Nider) uses masculine forms for the relatives, here the author uses the specially feminine form of the pronoun "them."

[570] Reference to the demon who told Jesus that his name was "Legion" (Mark 5:9, Luke 8:30), playing on the name of the Roman military unit.

[571] The plant *Hypericum perforatum* is popular in herbal cures, and its calming effects (it affects the central nervous system) have long been associated with driving off demons. Because of the red spots on some leaves and its red sap, the plant came to be associated with John the Baptist and for this reason is also known as St. John's wort (plants collected on his feast day, June 24, were often kept in houses as apotropaic devices). Institoris mentions this plant in the context of items useful for application on the person of a suspected sorceress at the time of questioning in *Nuremberg Handbook* (91), where he notes that the plant is known in German as "devil's bite" (*Teufelsbiß*).

[572] Merely a synonym for "virtues."

with hell have we made an agreement'), and in Job 40[:20] ('Or will you be able to remove Leviathan from the hook?' and so on)."[573] Finally, he expounds Job as follows [*Exposition on Job*, 3.41.2]. "If someone rightly | considers all the foregoing statements, they seem relevant to refuting 170A the presumptuous claim of the nigromantics, who strive to enter into an agreement with demons and to subordinate them to themselves or to constrain them in some way. Having therefore demonstrated that man cannot overcome the Devil by his own ability, God concludes by saying, 'Put your hand over him. [40:27]' Understand, 'if you can,' as if he were saying, 'You cannot do so by your own virtue in any way.' Yet, he is overcome by God's virtue, and so he adds, 'Remember the war' [verse 27], that is, 'the one in which I fight against him.' It can be said that the present tense is being used in place of the future, i.e., 'I will fight on the Cross,' at which time Leviathan will be captured with a hook, that is, with the divinity hidden under the bait of humanity, the Savior being a mere human.[574] Hence, Job later says, 'There is no power on earth that can be compared to it' (Job 41[:24]). By this," he says, "it is betokened that no bodily virtue can be equated with the power of the demon, which is the power of a purely spiritual nature."

A person under assault at the hands of a demon can be relieved indirectly through the virtue of a tune, as Saul was through David's harp,[575] or through that of a plant or of some other thing, this virtue being inherent to the item because of a natural property, and therefore such cures can be used. That this can happen is shown by authoritative passages and by reasonings. In 26, | Q. 7, "*Demonium sustinenti*" it says, "It is lawful 170B to have rocks or plants without an enchantment" (these are the words of Jerome). Also, in the [*Scholastic*] *History* the Master[576] treats the passage in Tobias 6[:8–9] where Rafael says to Tobias,[577] "If you place over the coals a piece of the heart," that is, of the fish that you caught, "its smoke scares off every sort of demon, from a man or a woman, so that it will no longer approach them." He says, "Nor should we be amazed at this, since when a certain tree is burned, its smoke has the same force." The

[573] The original text of Aquinas actually ends with the passage from Isaiah, and the one from Job has been added, but the passage of Nider adapted here seems to attribute both quotes to Aquinas.

[574] This sentence is the authors' own, being intruded into their quote of Nider's quotation from Aquinas. The words of Job are interpreted as if they were being spoken by Christ, a procedure typical of medieval biblical exegesis.

[575] 38C–39D.

[576] Peter Comestor.

[577] See n. 23.

passage also has a spiritual sense, which concerns the smoke of spiritual prayer. Albert speaks to the same effect on Luke 9 [*Commentary on Luke*], as does Nicholas of Lyra on 1 Sam. 16 [*Postilla Literalis*]. Indeed, Paul of Burgos reaches the following conclusion on 1 Sam. 16 [*Additions*]. Not only does it seem that it should be granted that people afflicted by demons can be relieved through certain things perceptible by the senses, but they can also be totally freed through certain things perceptible by the senses (understand "when they are not severely afflicted"). He proves this by reasoning.

"Since demons cannot change bodily material in accordance with their will but by joining appropriate active elements to appropriate passive ones, as Nicholas says, by the same principle something perceptible by
170C the senses can produce in the human body an inclination | that will make him unsuitable for the demon's action. For instance, mania is especially conducive to the alienation of the mind according to the physicians and consequently to receiving the demon's affliction. When this demonic suffering is completely healed, then if the active affliction of the demon withdraws, so would the passive affliction in the person possessed.

The same could be said about the liver of the fish[578] and the tune of David. While at first Saul merely was revived and felt better because of the tune [1 Sam. 16:23], the demon was completely driven out by it. This is why the text says, 'The evil spirit withdrew from him.' It would not be in accordance with the text to say that this happened as a result of David's merit or through his prayers, because it is not plausible that the Scripture would keep silent about this, since what was said about him was particularly laudatory."

We wrote above in Question Five of Part One that Saul was freed because the virtue of the Cross was prefigured through the tightening of the veins of the body of Christ,[579] and many statements are set out there that could serve the purpose of the present investigation, so let us simply conclude that the use of things perceptible by the senses in lawful exorcisms should not be rejected. Now it would be useful to say a few words about such exorcisms.

[Note on Sources
Major identified sources for Ch. 5:
Nider, *Ant Hill* 5.11, 12]

[578] I.e., the "heart" used by Tobias to protect himself against the demon.
[579] 39C.

## REMEDIES THROUGH LAWFUL EXORCISMS OF THE CHURCH AGAINST ANY ILLNESSES INFLICTED BY SORCERESSES, AND THE METHOD OF EXORCIZING PEOPLE AFFECTED BY SORCERY 170D

### Chapter Six

AS WAS DISCUSSED ABOVE,[580] sorceresses can inflict every kind of bodily illness, which makes it necessary to conclude as a general rule that whatever remedy consisting of words or other works can be used for the illnesses noted above are also suitable for any illnesses not expressly mentioned in the foregoing (for instance when epilepsy or leprosy has been inflicted), and since lawful exorcisms are considered to be among the remedies consisting of words, exorcism was mentioned as a general cure. Three basic questions should be taken into consideration with regards to exorcism. The first is whether someone not holding the Order of being an Exorcist,[581] like a layman (secular person), can lawfully exorcize demons or a demon's acts of sorcery. In this connection three other questions are added. The first is how exorcisms are lawful. The second is a treatment of the seven conditions that are necessary for someone to be able to carry chants and blessings with him.[582] The third is how a disease | is to be exorcized and the demon conjured away. The sec- 171A
ond basic question is what is to be done when the Grace of health is not obtained through exorcisms. The third is a discussion of remedies consisting not of words but of works, together with solutions to certain arguments.

As for the first. The following is the view of Doctor Thomas in *Commentary on Pronouncements*, Bk. 4, Dist. 23 [actually, *Sent.* 4.24.2.2.Ra9]. "In connection with the Order of being an Exorcist and of other minor orders, power is received when these orders are conferred, so that on the basis of the office someone can perform this or that function, for instance the performance of exorcisms. These can lawfully be performed by those not holding the order, even though such people do not have this ability on the basis of an office, just as the Mass can be said in a house not consecrated, although the consecration of a church is ordained for the purpose of the Mass being said in it. But this has more to do with Grace

[580] 130B–145D.
[581] I.e., someone not ecclesiastically appointed to the post of exorcist, which is ranked among the "minor holy orders" (lesser functionaries) of the church.
[582] This is not in fact the second topic in the subsequent discussion (see n. 589).

graciously given[583] than the Grace of the Sacrament."[584] On the basis of these words it can be said that while it is good that an exorcist possessing the power to exorcize diseases caused by sorcery should cooperate in the freeing of the person affected by sorcery, nonetheless, at times devout persons can put such diseases to flight, either with or without exorcisms.

There is a story about a poor little virgin who was therefore very
171B devout. When a friend | had been very greatly injured in the foot through sorcery (this was made clear in the judgment of the physicians by the fact that he could not be healed with any medicines), this virgin happened to visit the sick man. He immediately asked her to use some blessing on his foot. She agreed and in silence merely used the Lord's Prayer and the Apostles' Creed, repeatedly making the Sign of the living Cross. Then the sick man immediately felt that he was healed and wanted to know as a remedy for future recurrences what sort of chanting the virgin had used on him. She answered, "O ye[585] of weak faith! You do not cling to the approved divine practices of the Church, but frequently apply prohibited chants and remedies to your illnesses. The reason why you are seldom healed in the body is that you are always being harmed in the soul. But if you put your hopes in the effectiveness of lawful prayers and signs, you would often be healed very easily. All I used on you was the Lord's Prayer and the Apostles' Creed, and now you are healed."

Regarding this illustration, the question is raised whether other blessings and chantings (conjurations) through exorcisms are not effective, since it seems that they are being censured in this story. The response
171C is that the virgin rejected only | unlawful chants along with unlawful conjurations and exorcisms.

To facilitate understanding this, it is necessary to consider where such chants derived their origin and how they came to be misused. Their beginning was very holy, but the Divine Names are depraved in the same way that all things are perverted at the urging of the Demon[586] through the mediation of demons and evil humans. For according to the passage "In my name will you cast out demonic powers" (Mark 16[:17]) the Apostles and Saints visited the sick and uttered prayers over them

[583] See n. 492.

[584] This is not in fact a direct quotation of Aquinas but an adaptation by the source (Nider).

[585] Since the second person plural is used in medieval Latin as a form of addressing one person (as in most European languages), it is not clear whether this quotation is meant to apply to all men or the sick man in particular, but the reference to Jesus' frequent rebuke "O ye of little faith" (Matt. 6:30, 8:26, 16:8; Luke 12:28) suggests the former.

[586] I.e., the Devil himself.

through the Holy Words. Then, in the succeeding period of time, devout priests performed similar acts in a ritual manner. This is why there can be found in churches that have become ancient very devout prayers and holy exorcisms that devout men once used without any superstition for all the purposes that humans carry out or have carried out on them, just as even today there are found learned men and Doctors of Sacred Theology who visit the ill and use similar words on the sick (and not just those affected by demons). But, unfortunately, superstitious humans have by themselves invented many vain and unlawful words after the fashion of these lawful ones and use them today on the ill and on domestic animals, and out of laziness the clergy no longer use lawful words when visiting the ill. Hence, | William Durand, the commentator on Raymund, says 171D
that a regular priest[587] or a discreet one[588] or a layman or laywoman of outstanding way of life and proven discretion can perform such acts, uttering lawful prayer over the sick person, not over an apple or belt or the such like but over the sick people according to the passage of the Evangelist, "Upon the sick will they lay on their hands . . . " [Mark 16:18]. Persons of this kind should not be prohibited from such acts, unless there happens to be some fear that after their example, other people, who are indiscreet and superstitious, might adopt a misuse of chanting, protecting themselves after the example of such people. It is, therefore, such superstitious chanters who are being censured by the virgin mentioned above. She said that those who consulted them had weak, or rather bad, faith.

To facilitate this explanation, a question is raised about the words by which chants and blessings are considered lawful or superstitious, the method by which they ought to be used, and whether the demon should be conjured away and the disease exorcized.[589]

[587] I.e., a priest who was at the same time a monk or friar subject to the rule (*regula*) of his order. (As the Middle Ages progressed, the celebration of the mass played an increasingly prominent role in monastic life and monks were frequently ordained as priests as well.)

[588] I.e., a respectable member of the lower clergy, the presumption here being that the secular clergy were less reliable than monastic priests. (Criticism of the behavior of the lower secular clergy, who often were poorly paid and lacked much education, was a common theme among late-medieval reformers.)

[589] These three questions overlap with the three subordinate questions added to the first basic question in 170D–171A, but while the first and third correspond to the earlier scheme, the second has been changed. In 170D, the second additional question concerned the seven criteria for a lawful exorcism, but here this question is replaced with the topic of the valid method of using benedictions, this new scheme being followed in the subsequent discussion. The seven criteria are not marked out as a topic in 172A after the discussion of the lawfulness of exorcism, and the method of using chants as amulets is listed as the second question in 173D (this is presumably what is meant here by "the method by which they ought to be used").

As for the first, what is not superstitious is said to be lawful in the practice of the Christian religion, and what is observed contrary to the limits of religion is said to be superstitious, as is noted in the gloss on the passage "Which things have a rationale in superstition" (Coll.
172A 2[:23]) | (this is why it says there, "that is, religion practiced in evil and defective ways and circumstances"). Therefore whatever usurps the name "religion" through human tradition without the authority of some superior is in fact superstitious (for instance, adding hymns to the Mass for the Dead, interrupting the introduction, shortening the chanting of the Creed in the Mass or singing it in organum-style and not in a choir,[590] not having a respondent in a Mass, and the like).

Back to the question at hand. Now when some work takes place by the virtue of the Christian religion, for instance when someone wishes to help a sick person through some prayer or blessing involving Holy Words (this being the topic that we now have in mind), this person has to consider seven conditions, and if they are fulfilled, it is considered a lawful blessing.[591] If it takes place in the manner of an adjuration by the virtue of the Divine Name and by the virtue of the famous works of Christ relating to His Nativity, Passion, precious Death and so on, through which even the Devil is defeated and cast out, these blessings, chants and exorcisms are called lawful and those who put them into
172B practice can be called exorcists, or lawful enchanters according to Isidore| ("Those who carry out some art with words are called enchanters " [*Etym.* 8.9.15]).

As can be gathered from the teaching of St. Thomas (*Second of Second*, Q. 93 [presumably, *Summa* 2/2.96.4]), the first condition to be considered is that the words should contain nothing that relates to the express or implicit invocation of demons. The meaning of "express" and "implicit" is clear. This is considered on the basis of intention and of working. The former encompasses the situation where the worker does not care whether in his work he has what he intends from God or from the Devil, so long as he achieves the desired end. The latter is when the work that he performs does not have any natural property of producing such an effect. About this property it is not only physicians and astrologers but also theologians who are able to judge the method by

[590] In the later medieval period, the custom arose of interspersing more complicated elaborations of the sung parts of the mass in the midst of traditional Gregorian chant sung in a choir, and the word *organum* signifies this "descant" style. Apparently, the author objected to such practices and preferred the older, simpler musical style.

[591] This topic is the second additional question added to the first basic question (170D).

which the nigromancers make images, rings and stones that are affected through art and clearly have no natural tendency towards the effects that the nigromancers very often expect; hence, the Devil must be involved in their works.

The second consideration is that the blessings (chants) should not contain any unknown words, because according to Chrysostom [*Unfinished Work on Matthew 43*] one should fear that some superstition may lurk in them.

The third is that the subject matter of the words should contain no falsehood, because in that case no effect from it could be expected from God, since | He is not a witness to falsehood. Such is the usage of certain 172C
old women in their chants, when they rhyme, "The Blessed Virgin the Jordan crossed and then St. Stephen her path passed and her then asked" (and many other idiocies).

The fourth is that no inscribed vanities or characters should be included there apart from the Sign of the Cross. This is why the handbooks that are carried around by soldiers are censured.[592]

The fifth is that no hope should be placed in the way that these things are written or tied on amulets or in any such vanity that has nothing to do with reverence for God, because this would be judged superstitious.

The sixth is that when the divine Words or Holy Scripture are tied on[593] and uttered, the only thing that is respected are the sacred Words themselves and their meaning and the reverence for God or the divine virtue from which the effect is expected or the relics of the Saints from whom these effects are secondarily expected (they are primarily expected from God).

The seventh is that the effect that is expected should be entrusted to the will of God, Who knows whether health or tribulation is of greater or lesser benefit for the invoker or whether it is an obstruction for him. (This condition Thomas sets down | in *First of Second* in the material 172D
on Grace [*Summa* 1/2.109–113] and in *Commentary on Pronouncements*, Bk., Dist. 15 [*Sent.* 4.15.4.4a.Ra2].)

Let us therefore conclude that if none of these conditions taints the work, it will be lawful. Thomas proves this on the passage, "Signs will follow those who will believe. In my name they will cast out demonic powers . . . They will get rid of snakes" (Mark 16[:17–18]). From this he infers [*Golden Chain* 16 on Matt. 16:17–18] that if these conditions are maintained it is lawful to ward off snakes through divine words.

[592] For these handbooks, see 151A, C.

[593] I.e., pieces of paper with sacred texts written on them that were tied onto people as amulets.

Also, he offers further proof of this.[594] The Words of God are no less effective than the Relics of the Saints, Augustine saying [*Sermon* 300.2], "The Word of God is not inferior to the body of Christ,"[595] and according to everyone it is permissible for people to carry the Relics of Saints with them reverently. Therefore, in whatever way the name of God is ritually invoked (whether through the Lord's Prayer, the Hail Mary, His Nativity and Passion, the Five Wounds,[596] the Seven Words[597] that He uttered on the Cross, the Triumphal Placard,[598] the Three Nails, or the other weapons of the Church militant of Christ against the Devil and his works),[599] these will be altogether lawful and hope can be placed in them when the effect is entrusted to the will of God (understand
173A this statement about the constraining of snakes | to apply to the other animals), provided that it is only the Holy Words and the virtue of God that are being respected. With regard to these words, however, one should proceed cautiously in enchantments because, as the Doctors say, such enchantments often contain unlawful observances and achieve their effect through demons, especially in the case of snakes, since the snake was the first tool used by the demon for deceiving man.

In the city of Salzburg there was a certain enchanter. One day, he wished to stage a spectacle for other people by enchanting all the snakes within a one-mile radius, as the story holds, into a certain ditch and killing them. When the snakes were gathered from all over and he was standing above the ditch, last of all a huge and fearsome snake balked at entering the ditch and kept nodding as if the man should permit him to leave and slither off freely to wherever he wished, but the man was unwilling to stop his enchantment of the snake, all the others having been killed in the ditch (they would die instantly in it). Thus, the fearsome

[594] Though not marked as such, this paragraph is apparently the third additional question of the first basic question (170D–171A).

[595] Note the shift here from the singular "word of God," which simply signifies (as a clumsy translation into Latin of the Greek word *logos*, which means both "word" and "discourse") the information that comes from God, to the plural "words of God," which represent the use, in a Christian context, of words associated with God for purposes that can only be characterized as magical from an objective point of view.

[596] I.e., the nails in the hands and feet plus the slash to his side.

[597] Presumably, Luke (23:46): *Pater, in manus tuas commendo spiritum meum.* In the Latin version of John, Jesus is quoted twice for a total of seven words: *Mulier, ecce filius tuus* (19:26) and O*mnia consummata sunt* (19:28). In Matthew (27:46) and Mark (15:34) he utters the same eight words in Latin (*Deus meus, deus meus, ut quid dereliquisti me?*) as a translation of four words in Aramaic.

[598] The placard placed above his head on the cross and bearing the words *Jesus Nazarenus Rex Iudaeorum*, which are cited elsewhere for use in ecclesiastical magic (see n. 36).

[599] Only the Lord's Prayer and the Hail Mary are mentioned explicitly in the source (Nider) and the subsequent details are elaborations on the source's general expression "or in any other way."

snake also had to enter it, but it reared up opposite the man and leapt over the ditch, lunging at the enchanter. | Twisting around the enchanter's 173B belly and waist, the snake dragged him into the ditch with him, thereby killing him. From this it can be understood that such practices should be followed through the virtue of God only for a beneficial purpose (putting snakes to flight from human habitations) and only in fear of and reverence for God.

As for the second question (in what way exorcisms or chants of this kind are to be carried or hung from the neck or sewn into clothing),[600] it seems that such practices are unlawful. Augustine says, "Belonging to superstition are the thousand magical arts, including the tying of amulets and remedies condemned by the teaching of physicians, whether this consists of incantations or certain marks that they call 'characters' or the hanging or inscribing of certain objects" (*The Christian Doctrine*, Bk. 2 [2.2]). Likewise, Chrysostom says, "Certain people carry around their necks a written extract from a Gospel. But isn't the Gospel read every day in church and heard by everyone? When a person is not benefited by the Gospels when they are placed in his ears, how can they heal him when they are hung around his neck? Next, where is the ability of the Gospel, in the shapes of the letters or in the understanding of their meaning? If it is in the shapes, | you do well to hang them around your neck. But if it 173C is in the understanding, then they are of more use placed in your heart than hung around your neck" (*On Matthew* [43]).

On this point there is the following response from the Doctors, especially St. Thomas (cited above, Article 4 [*Summa* 2/2.96.4], where he asks whether it is unlawful to hang divine words from the neck). It seems that with regard to hanging any enchantments and writings, provision should be taken against two things. First, what is it that is being written? Does it manifestly relate to the invocation of demons? In that case, it is judged not only superstitious but also unlawful and apostasy from the Faith. Similarly, provision should also be taken to make sure that it does not contain unknown names and so on (understand the conditions set down above).[601] In that case, it is lawful for people to carry them with them, just as it is lawful to utter such words orally over the ill.

The Doctors mentioned before consider and condemn the situation when someone pays more attention to and has more respect for the shapes and letters that are written than for the understanding of the words.

[600] For the place of this "second question" in the organization of this section, see n. 589.
[601] 172B–C.

If it is said that a layman who does not understand the words can have no respect for their meaning, the response is that he should have respect for the virtue of God and entrust it to the will of God that He will carry
173D out whatever | is the decision of His piety.[602]

As for the third question (whether the demon is to be conjured away at the same time that the disease is to be exorcized, or the other way around, or one without the other).[603] Response. In this regard several questions should be considered. The first is whether there is always a demon when the person affected by sorcery is afflicted, the second is what sort of thing can be exorcized or adjured,[604] and the third is the manner of performing the exorcism.

As for the first, since according to John of Damascus the demon is in the place where he is working, it seems that the demon is always present with a person affected by sorcery when he afflicts him. This is also the case in the Legend[605] of St. Bartholomew. In this instance it seems that the demon is healing when he ceases harming.[606] Response. The fact that the demon is present for a person affected by sorcery and afflicted can be understood in two ways, in terms of either his being or his effect. In the first case, he is present in the beginning when the sorcery is put inside the victim. In the second case, he is not himself present in his effect. Similarly, when the Doctors ask whether the Devil can inhabit a human in substance with any instance of mortal guilt, they say that he does so not by himself but by his effect, just as an owner is said to dwell within a slave in terms of his ownership. (The situation is different with those under demonic assault.)

[602] This passage is an attempt to reapply the argument of Aquinas to a subject that he does not address directly. In *Summa* 2/2.96.4 the issue is whether it is lawful to carry written texts as amulets. The "wrong" position holds that this is absolutely permissible and Aquinas rejects this argument in a very equivocal and narrow manner. In his view, such practices are impermissible if the object in question (e.g., special characters written on an amulet) is thought to have some influence in its own right, but the invocation of God's name is legitimate so long as the effect is expected from God alone. Aquinas says nothing about the use of written words by illiterates.

[603] I.e., the third additional question to the first basic question (170D–171A).

[604] "Adjuration" is the procedure of persuading or compelling someone to do something through the invocation of God (for the adjuration of demons, which only involves compulsion, see Aq., *Summa* 2/2.90.2).

[605] See n. 485.

[606] In the legendary tale of Bartholomew, the apostle traveled to India to spread the good news there. He entered a temple that had an idol in it named Ascaroth, who had up until then seemed to offer the sick cures, though in fact it was the idol (i.e., pagan god) who had made them sick in the first place and seemed to cure by ceasing to harm. This "idol" was really a demon, who then caused Bartholomew trouble by pretending that his arrival had brought an end to the idol's ability to cure. See *Legenda Aurea* no. 123.

As for the second question (what kind of things can be exorcized), one should note | the pronouncement of St. Thomas in the *Commentary on* 174A
*Pronouncements*, Dist. 6, [*Sent*. 4.6.2.3a.Co.]. There he says that because of man's sins, the Devil receives power over him and all the things that are useful for man in order to punish him, and since Christ has no agreement with Belial, whatever is to be sanctified for the worship of God should first be exorcized, so that after it has been freed from the power of the Devil by which he can take up that thing to harm man, it may be consecrated to God. (This is clearly the case with the blessing of water, the consecration of a church and all such things.) Hence, since baptism is the first sanctification[607] by which man is consecrated to God, it is also necessary for man to be exorcized before being baptized. A fortiori this is much more the case with man than with other things, since man holds within him the reason why the Devil received power over the other things that exist for the sake of man, that is, original and personally committed sin. This is what is signified by the things said in an exorcism (for instance, the injunction, "Depart from him, Satan," and the like) and by the things done in an exorcism.

As for the question at hand, it is asked whether the disease is to be exorcized and the demon adjured, | and which of these comes first. The 174B
response is that it is not the disease that is exorcized but the person who is diseased and affected by sorcery. This is like the case of a child, where it is not the tainting caused by the incitement to evil that is exorcized but the child tainted thereby. Similarly, the person affected by sorcery is first exorcized, and he orders the Devil and his creation to depart, just as the child is exorcized first and then the Devil adjured to depart, and it is a very good idea to exorcize and bless everything that can be applied to the use of the person affected by sorcery, like food and drink, just as salt and water are exorcized. The rite of exorcism holds that in the case of baptizing people there should, first, be an exhaling to the west and a renunciation, second, a raising of the hands towards heaven accompanied by the Holy Confession of the Faith and the avowal of the Christian religion, third, a prayer, a blessing and a laying-on of hands, and, fourth, a removal of the clothing and anointing with Holy Oil, and after the Baptism a taking of Communion and the putting-on of white clothing, but it is not necessary for these things to be done in the case of exorcizing someone affected by sorcery. What is necessary is that the person should first have made a genuine confession as is

[607] Literally, "act of making holy."

174C appropriate, hold a lit candle if he can, and receive Holy Communion, | and in place of white clothing he should remain with a blessed candle the length of Christ's body or of the trunk of the cross bound to his naked body.[608]

The following can be said. "I exorcize you, Peter (or Barbara), who are sick but reborn with the Holy Font of Baptism, through the Living God," – (Sign of the Cross) – "the True God," – (again) – "the Holy God," – (again) – "the God Who redeemed you with His precious blood so that you may become an exorcized person, so that there may flee and depart from you every fantasy and evil of the Devil's deceit, and every unclean spirit after being adjured through Him Who is to come to judge the quick and the dead and the secular world with fire. Amen.

Let us pray. O God of compassion, God of clemency, You Who in accordance with the great number of Your mercies rebuke those whom You love and piously restrain for their correction those whom You accept, we invoke You, O Lord, to deign to bestow Your Grace upon Your servant, who in body suffers an illness of limbs. Attach whatever has been corrupted by earthly infirmity or violated by the Devil's trickery to the Unity of the Body of the Church as a member[609] of redemption. Have pity on his groans, O Lord, have pity on his tears, and receive into the Sacrament of Your reconciliation someone who has trust only
174D in Your mercy. | Through Our Lord, Jesus Christ. Amen.

Therefore, accursed devil, acknowledge the sentence passed on you. Give honor to the True and Living God and to the Lord, Jesus Christ, so that along with your creation you will depart from this servant, whom Our Lord, Jesus Christ, has redeemed with His precious blood."

Next, he exorcizes him with prayers as above a second and a third time. "Let us pray. O God, since You always rule over Your creation with pious affection, turn Your ear to our entreaties. In propitiousness, look upon Your servant who suffers from adverse bodily health, and visit him. With Your Salvation grant to him the medicine of Heavenly Grace. Through Our Lord, Jesus Christ. Amen.

Therefore, accursed devil," and so on as above.

Prayer for the third exorcism. "O God, the sole protection for human illness, show the power of Your help over our sick person, so that he (or

[608] Candles played a prominent role in late medieval piety, and on the assumption that bigger was better, these were often of extravagant dimensions.

[609] There is an untranslatable Latin play on words here, the word *membrum* signifying both (literally) a limb of the body (this sense giving rise to the English expression "male member") and (metaphorically) the member of an organization (this sense giving the usual English meaning of the word).

she) may deserve to be helped by Your mercy and presented unharmed to Your Holy Church. Through Our Lord, Jesus Christ. Amen."

The exorcist should always sprinkle with Holy Water.

Note that this method is set out not because it should be performed in exactly this way or because other kinds of exorcism are not of greater effectiveness, | but so that a method of exorcizing or adjuring should 175A
be set out here. For in ancient histories and in books in churches more devout and effective exorcisms can sometimes be found. Since in all matters reverence for God should be given priority, let each individual act with this as his guide to the extent that it will be helpful.

On the basis of the foregoing let us make some conclusions for the sake of simple people.[610] Let the method of exorcizing someone affected by sorcery be as follows. First, he should make a genuine confession according to the frequently cited Chapter "*Si per sortiarias*." Next, there should be a careful search throughout all the corners of the house, in the furniture and bedding, and under the threshold of the doorway, in case the devices of the sorcery can be found in a cautious way. If they are found, they are to be immediately thrown into the fire. It is also a good idea if everything in terms of furniture and clothing is replaced, and if the person changes his dwelling and house.

In the situation where nothing is found, the person to be exorcized will, if he can, enter the church in the morning (the more holy the day, such as Feasts of the Blessed Virgin or Vigils, the better). A priest who has also made confession and who is in a good state will be more useful. The person to be exorcized should then carry a blessed candle in his hand as well as he can, sitting or on bended knees. | Those in attendance should 175B
make devout prayers requesting that he may be freed. He[611] should begin the litany with "Our source of help is in Our Lord." He should also have a respondent. He should sprinkle the person with Holy Water and put a stole around his neck. He should add the psalm *Deus in adiutorium* [Ps. 69][612] and perform the litany as is customary for the sick, saying in invocation of the Saints, "Pray for him and be propitious. Free him, O Lord", and performing the individual elements down to the end, where prayers are to be said. Then, instead of the prayers, he should begin the exorcism, and he will continue in the manner stated above, or in a better one, as he sees fit. Exorcisms of this kind could be repeated at least three times a week, so that the Grace of health may be obtained when the

[610] I.e., laymen.
[611] I.e., the priest.
[612] Ps. 70 in traditional English numeration.

number of intercessors is increased. Above all, the person should take Communion with the Sacrament of the Eucharist (certain people think this should be done before the exorcism).

In Confession, the confessor should notice if the person is trapped in some fetter of excommunication[613] or if he was once rashly trapped in
175C this without receiving absolution from the judge.[614] For in that case, | although the confessor absolves him conditionally,[615] once his well-being is restored the person should seek absolution from the judge who did the binding.[616]

It should be noted that when the exorcist does not hold the Order of being an Exorcist, he can proceed through the prayers, and if he knows how to read, he should read Scriptural passages: the first Gospel passages of the four Evangelists, the Gospel passage "An angel was sent" [Luke 1:26] and the Passion of the Lord, all of which have a great virtue in casting out the works of the Devil. The passage "In the beginning was the word" from the Gospel of John [1:1] should also be written down and hung from the neck of the sick person. In this way, the Grace of health would be expected from God.[617]

If someone raises the question of the difference between the sprinkling of Holy Water and an exorcism, since each is ordained in its effect to combat the harassment of a demon, St. Thomas responds (above citation, Dist. 6 [*Sent.* 4.6.2.3a.Ra3]) as follows. The devil assails us from without and from within. Holy Water is therefore ordained against the Devil's assault from without, while exorcism is ordained against the Devil's assault from within. Hence, those for whom it is given are called "*energumeni*"[618] from *en*, which is "within," and *geron*[619] or "toil," as if
175D they are toiling within. | Therefore, each procedure is used in exorcizing someone affected by sorcery, since the people are being harassed in each place.

As for the second basic question (what should be done when the Grace of health cannot be obtained through exorcisms),[620] the response is as follows. This can happen for six reasons, and there is a seventh reason

[613] This is just a circumlocution for still being excommunicate.
[614] For the confessor as the judge of the "forum of penance," see 151C.
[615] For conditional absolution, see n. 564.
[616] This is a reference to Matt. 16:19 ("... whatsoever thou shalt bind on earth shall be bound in heaven"), a passage used to justify the "power of the keys" (see n. 487), which in this case is exemplified by the priest's authorization to impose penance.
[617] See 172C.
[618] A Greek phrase borrowed into Latin and literally signifying "worked upon within."
[619] Should be *ergon*, as Aquinas correctly states.
[620] As laid out in 170D.

about which we suspend our judgment. The fact that someone is not freed can be caused by the smallness of faith of the bystanders or of those presenting the sick person; or by the sins of those who are suffering from the sorcery; or by the failure to apply suitable remedies; or by some fault in the Faith on the part of the exorcist; or by reverence felt for the virtues in someone else;[621] or for the sake of the purging or merit of those who are suffering from the sorcery. The truth of the Gospels teaches about the first four regarding the presence of the father whose only son was a lunatic and of Christ's disciples (Matthew 17[:14–20], Mark 9[:13–28]).[622] First the offerer and the crowd lacked faith, and so the father prayed with tears, "I believe, O Lord! Help my lack of belief" [Mark 9:23]. To the crowd Jesus said, "O unbelieving and perverse generation, how long | will I be with you?" 176A

As for the second reason (the one concerning the person who is suffering from the demon), Jesus rebuked him (the son)[623] [Matthew 17:17], because, as St. Jerome says on that passage [*Commentary on Matthew*], he had been overwhelmed by the demon because of his sins.

As for the third reason (the neglect of appropriate remedies), it is clear that no good and perfect men were present, and hence Chrysostom says[624] on the same passage, "The pillars of the Faith (Peter, James and John) were not present as they had been at the Transfiguration of Christ,[625] nor was there any praying or fasting, and in their absence Christ said, 'This kind of demon is not cast out' [Matthew 17:20, Mark 9:28]." Hence, Origen says on that passage [*Commentary on Matthew*], "If it is sometimes necessary to persist in the healing of those who experience some suffering, we should not be amazed, nor should we ask questions or speak as if to a spirit in this world who is listening. Rather, we should use fasts and prayers to drive out our evil spirits." The gloss says, "This kind of demon, that is, this flux of carnal pleasures to which that spirit was disposed, can be conquered only if the spirit is confirmed with prayer and the flesh weakened through fasting."

[621] I.e., other than God.

[622] The source (Nider) has been somewhat garbled here, and the reference should be to the "story of the father . . . and the presence of the disciples . . . "

[623] Taken by itself, the Latin here supports this interpretation, though the parallel in Luke 4:35 suggests that it was the demon whom Jesus rebuked. In any case, Jerome's explanation has no support in the text.

[624] Ultimate reference unknown.

[625] The transfiguration (Matt. 17:1–13), an incident in which God demonstrates in the presence of Peter, James and John his pleasure in Jesus, takes place immediately before the incident involving the possessed son, and there is no suggestion in the text that the three apostles had left Jesus in the interim (and in fact Peter appears in Matt. 17:24 with no indication that he had been anywhere else).

The fourth (guilt on the part of the exorcist, especially concerning the Faith) is explained in the same passage, with reference to the Disciples of
176B Christ who were present.|When the Disciples later asked in private about the reason for their lack of power, Jesus answered, "Because of your lack of belief. Verily I say unto you, if you have faith, like a grain of mustard seed, you will say to this mountain, move" and so on [Matthew 17:19]. Here Hilary [of Poitiers, *Commentary on Matthew*] says, "The Apostles did believe, but they were not yet perfect in the Faith. For while the Lord tarried on the mountain with the other three and the rest remained with the crowd, a certain lack of fervor had lessened their faith."

The fifth is explained in *Lives of the Fathers* [8.28], where we read that sometimes people under demonic assault were not freed by St. Anthony but they were freed by his disciple Paul.

The sixth reason was explained.[626] When someone is freed from an instance of guilt, he is not always freed from the penalty. Instead, the penalty sometimes remains as punishment and satisfaction for the earlier crime.

There is still another remedy that is said to have freed many people affected by sorcery, and this is that they were baptized anew, though only in a specific circumstance. As I have said, we do not dare make a final determination about this, but it is very true that when someone has not been duly exorcized before baptism, the Devil clearly receives greater power over him by God's permission.

176C From the foregoing it is clear and not at all doubtful that very many forms of negligence are committed either by the priests who are not properly disposed, in which case the fourth impediment mentioned above applies, or by old women who do not follow the appropriate manner of baptizing at the necessary time. Yet I do not wish to claim that the Sacraments cannot be provided by evil people. To the contrary, however evil the priest is, he performs the baptism and completes this Sacrament, so long as he is ordained, intentionally performs the baptism in the appropriate manner with the appropriate formula of words and appropriate physical matter,[627] and intends to complete the Sacrament.[628] Similarly,

[626] 161B.

[627] I.e., clean water (Aq., *Sent.* 2.5.2.2.Ra1).

[628] It was an inflexibly upheld tenet of the official church that the efficacy of its rituals did not depend upon the personal integrity of the officiating ecclesiastic (as maintained, for instance, by the Donatists). (From an institutional point of view, allowing the validity of the church's acts and decisions to be called into question because of the vagaries of those in charge would soon result in paralyzing chaos.) Hence, the author is at pains to avoid the appearance of advocating such a view, which is a natural implication of the claim that the baptizing priest's ineptitude could undermine the beneficial effects of the baptism.

this is how he should proceed in ritually performing an exorcism, not being puffed up or violent. Hence, people should not take part in Divine Service of this kind without the intent of act or habit[629] – and certainly without stumbling over the obligatory words or passing them over in silence! In fact, it is necessary to state that just as four essential elements (physical matter, form, intention and ecclesiastical order, in the procedures discussed above) serve the purpose of completing a Sacrament, the same is the case with exorcism in its own procedure: when one is lacking, the officiant will not be able to complete the Sacrament.[630]

The objection is not valid that people were baptized without exorcism in the primitive Church or that even in the present time | a person who 176D
has been baptized can receive the character[631] of the baptism without exorcism, because in that case it would have been vain for Gregory to institute exorcisms and the Church would instead be in error in its ceremonies. Hence, I have not dared to censure in any way those who wish to rebaptize in a specific circumstance those affected by sorcery and perchance make good what was neglected.[632] Regarding those who walk across tall buildings at night-time without being harmed,[633] many claim that this is clearly the work of an evil spirit who carries them in this way. It is recognized that when such people are rebaptized, they are better. The amazing thing is that when they are referred to[634] by their own names, they are suddenly dashed to the ground, as if the name may not have been bestowed on them in the appropriate manner at their baptism.

It is a good idea for the reader to pay attention to these six impediments. Although they refer to the "*energumini*" (the possessed) and not to those affected by sorcery, nonetheless, God's virtue is needed equally in each case. Indeed, it can be said that it is a matter of greater difficulty to heal someone affected by sorcery than an "*energuminus*" (a possessed person). Therefore, if these impediments are relevant in the latter case, then they are a fortiori relevant in the case of those affected by sorcery.

This is proven by the following reasoning. | As was explained above 177A
(Chapter Ten),[635] while people are sometimes possessed because of no

[629] For the sense of these requirements, see Aq., *Sent.* 4.6.1.2a.Ra4 and 2.40.1.5.Ra6.
[630] See Aq., *Sent.* 4.6.1.2a.Co.
[631] I.e., the permanent "impression" made on the soul by the rite.
[632] The defensiveness of the defense of rebaptism can be explained by the fact that Aquinas rejected the repetition of the rite under any circumstances (*Sent.* 4.6.2.1a).
[633] See 102C.
[634] I.e., while sleepwalking.
[635] 127A–B.

crime of their own but because of someone else's trivial crime (for various reasons), in the case of sorcery affecting adults this mostly happens to them because they are being possessed very severely by a demon from within for the purpose of killing their soul. Hence, in the case of those affected by sorcery two sorts of labor are required for this very severe kind of possession, while only a straightforward labor is needed in the case of those possessed from without. Cassian says (*Conference about Abbot Serenus* [7.31]), "Those people are truly miserable and are to be judged worthy of pity of whom it is the case that, when they pollute themselves with every kind of crime and misdeed, not only is no sign of the Devil's occupation plausibly displayed in them, but not even any temptation commensurate with their works or any scourging of chastisement is inflicted. They do not deserve the swift and expeditious medicine for this emergency. Their obduracy and impenitent heart surpass the penalty of the present life, and they store up for themselves anger and outrage
177B on the day of anger and the revelation of the just judgment of God. | On that day their worms[636] will not die and their flames will not be put out." Also, a little bit earlier Cassian [7:25] compares bodily possession to that of the soul through sin, saying, "It is generally agreed that those people are harassed more severely and vigorously who hardly seem to be afflicted by the demons in body but are more destructively possessed in spirit, being entangled in their vices and pleasures. For according to the view of the Apostle [Romans 6:16], a person is made the slave of someone by whom he is overcome. But these people are more hopelessly sick in that because they are the chattel of the demons, they do not recognize either that they are being assailed by them or that they are enduring their tyranny." From the foregoing it can be concluded a fortiori that when people are affected by sorcery through being possessed by a demon not from without but from within with reference to the killing of their souls, the greater number of impediments makes it more difficult for such people to be healed.

As for the third basic question[637] (remedies consisting not of words but of works), regarding remedies of this kind, it is to be noted that there are two kinds of such remedies, and they are either altogether lawful and not suspect or suspect and not altogether lawful. The first
177C kind | was directly treated above at the end of Chapter Five, where a

[636] It was part of the medieval conception of hell that the worms that have been consuming the corpses in the period between their death and the resurrection of the dead on the Day of Judgment would continue to do so as part of the eternal punishment of the damned.

[637] As laid out in 170D–171A.

doubtful point in terms of herbs and rocks was laid out (how it is lawful for them to dispel acts of sorcery).[638] Now it is necessary to treat the second group of remedies, those that seem suspect but not altogether unlawful. It is necessary to note the treatment in the chapters in Basic Division Two[639] of the present Part Two of the work that dealt with the four remedies, of which three are considered unlawful and the fourth not altogether unlawful but vain.[640] Regarding this remedy, the canonists say that it is lawful to smash vanities with vanities, but we inquisitors share with the Holy Doctors the view that in a situation where remedies through Holy Words and lawful exorcisms are not enough (because of the impediments treated above, of which there are six or seven),[641] then those affected by sorcery are to be urged to endure it with equanimity for the purpose of tolerating the evils of the present life as a way to purge their crimes, and not to make any further attempt at all to find superstitious and vain remedies.[642] For this reason, if someone | is not 177D content with the lawful forms of exorcism mentioned above and wishes to resort to the kind of (at the least) vain remedies that were discussed above, let him know that this is done against our will and without our permission.

When these remedies were set out and explained in that passage, it was brought about that the sayings of Scotus, Hostiensis and the others on the one hand and those of the other theologians on the other were brought into agreement in every way,[643] and our declaration therefore agrees with that of St. Augustine in a sermon against fortune-tellers and diviners (it is entitled *Sermon on Auguries*), in which he says the following [*Fragmentary Sermon* 278.1]. "Brothers, you know that I have quite often pleaded with you not to follow the customs of the pagans and sorcerers in any way, but this has had little effect on some of you. Because I am going to give an accounting on the Day of Judgment if I do not speak to you on my own behalf and on yours, and it will be necessary for me to suffer eternal punishments along with you, I am absolving myself before God when I again and again give warning and attest that none of you should seek the advice of diviners or fortune-tellers or | 178A consult them about any matter or situation or illness, because whoever does this evil act will immediately lose the Sacrament of Baptism and

[638] 169D–170C.
[639] I.e., Q. 2.
[640] These four remedies are discussed in 154A–158C.
[641] 175D–176B.
[642] For the inquisitors' preferred procedure, see 157D.
[643] 154A.

be rendered a sacrilegious pagan. Unless repentance comes to his aid, he will immediately be lost for eternity." Later he adds the following. "No one makes[644] an observation of the days for departure and return. For God has made all things very good, establishing one day and the next. But whenever there is a pressing need to do something or to go out, sign yourselves in the name of Christ, and while faithfully reciting the Apostles' Creed or the Lord's Prayer act with confidence through the assistance of God."

Not content with these procedures and wishing to pile errors upon errors, certain superstitious sons of the secular world attempt to defend themselves with the following arguments, going beyond the meaning and intention of Scotus and the canonists. Because, they say, natural objects have certain hidden virtues for which an explanation cannot be given by man, for instance the fact that steel attracts iron and many others listed by Augustine (*City of God*, Bk. 21 [21.5.7]), it will not be unlawful, though it seems vain, to make an investigation of such objects
178B in order to gain health when exorcisms and natural medicines fail.|This would be the case when someone wishes to produce health in himself or someone else, through images that are not nigromantic but astrological or through rings and the like.

Likewise, they argue as follows. Since natural bodies are subject to the heavenly bodies, certain bodies created by art, for instance images, acquire hidden virtues by receiving this character from an impression caused by the heavenly bodies. Therefore, bodies created by art, for instance images, acquire from the heavenly bodies a certain hidden ability to cause certain effects, and therefore it is not unlawful to use them and other things of this kind.

Also, demons can change bodies in many ways, as Augustine says in *The Trinity*, Bk. 3 [3.8.9], and this is clearly the case with those affected by sorcery. Therefore, it is also lawful to use their virtue in order to endure such acts of sorcery.

But in fact the sayings of all the Holy Doctors state the opposite, as was sufficiently explained in various passages. Hence, as for the first it is said that if natural objects are applied straightforwardly to produce certain effects for which they are thought to have a natural virtue, this is
178C not unlawful. If, however, words are added or|certain characters or some names or any other unknown or vain observances, of which it is obvious that they have no natural effectiveness for this, it will be superstitious

[644] The quotation of Augustine is somewhat loose here, and it should read "should make."

and unlawful. Hence, St. Thomas says in treating this topic (*Second of Second*, Q. 96, Article 2 at the end) that with reference to things done to bring about certain bodily effects, for instance health or something of the kind, one must consider whether they seem to be able to cause such effects naturally. Because it is lawful to apply natural causes for their effects, it is not unlawful. If, on the other hand, they do not seem to be able to cause such effects naturally, it follows that they are not being applied for these effects as causes but merely as signs, and in this case they pertain to agreements entered into with demons regarding the making of signs. Hence, Augustine says the following in *City of God*, Bk. 21 [21.6]. "Creatures made not by demons but by God entice demons with different delights according to the differences among the demons. The demons are not enticed in the way that animals are by food but in the way that spirits are by signs, through various kinds of stones, plants, wood, animals, chants and rituals."

As for the second argument, this Doctor says the following. | The nat- 178D
ural virtues of natural bodies receive the bodies' essential forms, which they acquire from the impression made by the heavenly bodies, and, therefore, they acquire certain active virtues from the impression made by these bodies. The forms of bodies created by art, on the other hand, derive from the conception of the artisan, and since they are nothing other than composition, ordering and shaping, as is stated in [Aristotle] *Physics*, Bk. 1 [1.5], they cannot have a natural virtue for action.[645] This is why as creations of art they acquire no natural virtue from the impression caused by the heavenly bodies, but do so merely in terms of their natural material. Therefore, as Augustine says (*City of God*, Bk. 10 [10.11]), that Porphyry is incorrect when he thinks that with plants, and with stones, and with certain animate creatures and sounds, and with certain words and configurations and formations and with certain motions of the stars observed in the turning of the sky, the powers of the stars suitable for producing various effects were fabricated by humans on earth, as if the results of the magical arts came from the virtue of the heavenly bodies. But as Augustine adds in that passage, all of this belongs to the demons, who play tricks on souls which are subordinate to them.

Hence, the images that they call "astrological" | have their effect from 179A
the working of demons. A sign of this is the fact that it is necessary for

[645] This argument would seem to represent an equation of the "forming" of matter into objects by human (or demonic) action with the supernatural "forms" (see n. 118) that in an abstract sense were thought to convert the elements into objects of the world.

certain characters that have no natural working to be inscribed on them, since a figure is not the origin of a natural action. Rather, the astrological images differ from the nigromantic ones in that while express invocations are made in the nigromantic ones, and hence they also pertain to agreements entered into with demons, the astrological ones pertain to implicit agreements because of the signs that consist of figures and characters.

As for the third argument, no power over demons has been entrusted to man, so that he could use them for whatever purpose he wishes. Rather, war has been declared for him against the demons. Hence, in no way is it lawful for man to use the help of demons through agreements implicit or express.

This is what Thomas says.

As for the question at hand. When he says "in no way," he means "with no vanities," that is, the vanities by which a demon can become involved in any way at all.[646] If, however, these things are so vain that human frailty does in fact undertake them to regain health, let the person grieve over his past acts, take precaution for his future ones, and pray that his debt may be forgiven and that he may not be led any more
179B into temptation, as Augustine says at the end | of the Rule [*Rule for the Servants of God* 12=*Letter* 211].

[Note on Sources
Major identified sources for Ch. 6:
Aq., *Sent.* 4.6.1.2a; 4.6.2.3
*Summa* 2/2.96.2, 4
Augustine, *Fragmentary Sermon* 278
Nider, *Ant Hill* 5.2, 4, 5, 6, 12
*Praec.* 1.11.23, 26, 27]

## Remedies against hailstorms and for domestic animals affected by sorcery

### Chapter Seven

HOW domestic animals affected by sorcery can be healed with remedies, and also storms in the air. First, note is to be made of certain unlawful remedies practiced by certain people. Some do this

[646] This is clearly not what Aquinas meant by "vanities."

with superstitious words or acts, like those who use unlawful words and chants to heal worms in the fingers or limbs. (How to recognize whether these chants are lawful or not is treated in the preceding chapter.) There are others who do not sprinkle Holy Water over the domestic animals affected by sorcery, but pour it into their mouths.

To show that the first remedy, which consists of words, is unlawful, there is, in addition to the foregoing, the following demonstration by William of Auvergne (often cited) [*Laws* 27]. If there were some virtue inherent to the words (and let us speak of words as such), then it would be so in one of five ways,[647] that is, with reference to the material (the air), or the form (the sound), or a method of making the sign, or all of these at once. It is not the first, because | air taints only if it is poi- 179C
sonous. It is also not the second, because an aim exceeding the capacity vitiates the potential.[648] Nor the third, because in that case the terms "devil," "death," and "hell" would always be harmful, and "health" and "goodness" would always be beneficial. It is also not all of them at once, because when the whole is composed of insufficient elements, it too is insufficient.

It is not valid to object that God bestowed the force upon the words as He did upon plants and stones, because if there were any virtues inherent in certain words or Sacramentals or other blessings and lawful chants, they would possess such virtues within themselves, not as words but as a result of divine arrangement and ordination and as a result of the agreement of God, as if the Lord said, "Whoever does this, I will perform this grace for him." This is how the words in the Sacraments achieve what they betoken. (According to others they also have an inherent virtue, but the first view is embraced because it serves present purposes.)[649]

Regarding the other words and chants it is clear from the foregoing that as words that are put together in groups or uttered or symbolized, words achieve nothing, but the invocation of the name of God and the obsecration, which is a very sacred public declaration of entrusting the result | to the will of God, are beneficial. 179D

[647] William states that there are four methods, which he then illogically lists as material, form, things signified, all of these, and some of these. In adapting this passage, the author apparently correctly counted these items as numbering five, but then failed to list the fifth one!

[648] This reasoning is entirely different from that of William. He first grants that terrifying sounds like the crack of thunder or the roar of a lion may cause death, but dismisses such effects because they relate to natural phenomena and not words. Next, he denies the relevance of a Jewish sorcerer having killed a bull through an incantation. In adapting this passage, the author apparently decided to summarize the general idea with a scholastic aphorism.

[649] It is not a very compelling argument to pick explanation A over alternative B simply because it is more convenient.

Remedies consisting of works that seem unlawful, as was mentioned above. In the region of Swabia it is a very common practice that before sunrise on the first day of May village women go out and fetch from the woods or trees willow branches or other boughs. They then weave these into a circle and hang them at the entrance of the barn, claiming that for the entire year all domestic animals will remain unharmed by sorceresses and be preserved. According to the opinion of those who say that it is possible to smash vanities with vanities,[650] this would not be unlawful, and such would also be the case with those who drive off diseases through unknown words. But let us go on without wishing to cause offense and say that if on the first or second day a woman, or whoever it is that goes out, collects plants, boughs or branches without paying any attention to the rising or setting of the sun but with a recitation of the Lord's Prayer or the Creed of the Faith and then hangs these items above the doorway to the barn, in good faith entrusting the effect of the protection to God's will, she will not be subject to censure, as was explained in the preceding chapter[651] on the basis of the words of Jerome (they are quoted
180A in 26, | last question [actually, *Decretum* 2.26.7.18]): "It is also lawful for someone suffering a demonic power to have plants and rocks without enchanting."

Similarly, there are those who on Palm Sunday keep and raise up among the grapevines and standing crops the Sign[652] of the Cross or boughs or flowers that have been blessed, claiming that while the crops on all sides were harmed by hailstorms, the crops in their fields remained unharmed. It seems that a distinction should be made about these people on the basis of the distinction already mentioned.

Similarly, there are those who as a protection for their milk, that is, to prevent the cows from being deprived of it through sorcery, in the name of God distribute among the poor for free all the liquid of the milk they collect on Saturday, claiming that through alms of this kind the cows are saved from sorceresses and also have their supply of milk increased. In this work nothing is judged to be superstitious, provided that, for the sake of the piety that they offer to the poor, they undertake to implore the piety of God to protect the domestic animals, leaving the effect of the protection to God's providence according to His resolve.

Also, Nider says in his *Praeceptorium* (Precept 1, Chapter 11) that it is also lawful to bless domestic animals like sick people with written chants

[650] See 153A–B.
[651] 170A–C.
[652] Presumably a representation of the crucifix.

and sacred words,|and even with things that seem to have the appearance 180B
of an enchantment, so long as the seven conditions mentioned before[653]
are maintained. He also says that he had learned through the experience
of devout persons and virgins that when the Sign of the Cross along with
the Lord's Prayer and the Hail Mary is used three times or so on a cow,
the work of the demon stops if sorcery is the cause.

He says the following in his *Ant Hill* [5.4]. "It is generally agreed that
sorcerers confess that their acts of sorcery are impeded by the rituals
venerated and maintained by the Church, like the sprinkling of Holy
Water, the eating of Holy Salt, the lawful use of candles consecrated on
the Day of Purification[654] and of fronds consecrated on Palm Sunday
and the like, because the Church exorcizes these things so that they will
reduce the powers of the demon."

Also, when sorceresses wish to deprive a domestic animal of the liquid
of milk, from the house in which the domestic animal stays they ask for
a little milk or butter hardened from that animal, so that this will then
allow them to affect the animal with sorcery through their art. Therefore,
the women of whom suspected sorceresses make requests of this kind
should be careful|not to make them a loan or gift of the least thing. 180C

Also, there are certain women who feel that they are making no
progress in hardening the butter while toiling in the normal way over
oblong vats suitable for this job, and then if they are able to get a bit
of butter quickly from the house of the suspected sorceress, they make
pats (mouthfuls) of this butter and with the invocation of the Most
Holy Trinity (Father, Son and Holy Ghost), they cast the pats into a
vessel, thereby putting the whole sorcery to flight. Here again it is a
case of a vanity being smashed with vanities only in that the woman
has to borrow butter from the suspected sorceress. But if without the
borrowing she did this with the invocation of the Most Holy Trinity
and with the addition of the Lord's Prayer, then even if she puts in three
pieces of her own butter (or someone else's if she has none of her own),
she would remain unworthy of censure because she entrusts the effect
to God's will. She would not, however, be commendable, because of her
putting in three pieces of butter. She would be commendable if she put
the sorcery to flight in the manner described above by sprinkling Holy
Water and putting in exorcized salt while praying.

Also, it is often the case that all the domestic animals are killed by 180D
sorcery, and those to whom such things happen should see to it that

[653] 171D–172C.
[654] See n. 20.

the earth is taken away from under the threshold of the doorway to the barn or in many instances from the place where they are watered, and that other earth is put in those places with the sprinkling of Holy Water. Sorceresses have often confessed to having hidden devices for sorcery in such places, confessing that at the insistence of the demons all they had to do was make a ditch and the demon put the sorcery there. The device for sorcery was some very insignificant object, like a stone, a piece of wood, or a mouse or snake. It is generally agreed that in such affairs the Devil works acts of sorcery by himself without needing consent, or that he also seeks her damnation and for this reason forces her to work with him in some way.

Against hailstorms and rainstorms the following remedy is practiced in addition to the raising of the Sign of the Cross discussed above.[655] Hailstones are cast into the fire with the invocation of the Most Holy Trinity. The Lord's Prayer is added two or three times along with the Hail
181A Mary. | The passage "In the beginning was the Word" from the Gospel of John with the making of the Sign of the Cross is added against a storm all over: in front, in back and in every direction of the earth. In this case, when he repeats, "The Word was made flesh," three times at the end and then says three times, "May this storm be put to flight by the words of the Gospel," the storm will suddenly stop if it was in fact caused as a result of sorcery. These very true *experimenta* are judged to be not even suspect. The mere casting of the hailstones into the fire would be considered superstitious, if this is done without the invocation of the Divine Name.

If it is asked whether the storms could not have been calmed without these hailstones, the response is that they certainly could have been through other Holy Words. In trying to destroy the Devil's creation through the invocation of the Most Holy Trinity, however, it is the intention of the one who casts them to vex the Devil, and so he casts them into fire rather than water, since the more quickly they are dissolved, the more quickly his creation is destroyed. He entrusts the effect of protection to the will of God, however.

In addition, when a certain sorceress was asked by a judge whether storms stirred up by sorceresses could in some way be calmed, she replied,
181B "Yes, through the following phrase. | 'I adjure you, hailstorms and winds, by the Five Wounds of Christ[656] and by the Three Nails that pierced His hands and feet and by the four Evangelists, Matthew, Mark, Luke

[655] 180A.
[656] See n. 596.

and John, to dissolve into water and come down."' Many women also confess, some voluntarily, others with difficulty under torture, that there are five situations through which they are greatly impeded, sometimes in whole, sometimes in part, sometimes with the result of preventing such things being done to a particular person, sometimes to his friends. These situations are when people maintain the Faith and the Commandments of God intact, when they protect themselves with the Sign of the Cross and with prayer, when they cultivate the rituals and ceremonies of the Church, when they properly carry out public justice, and when they think over the Passion of Christ in speech or mind. Hence, Nider also says (cited above [*Praeceptorium* 1.11.34]), "For this reason it is a universal or general practice in the Church to ring bells against the wind. There are two purposes for this. The first is that the demons should withdraw from their acts of sorcery as if on account of trumpets consecrated to God, and the second is that the congregation should be roused to invoke God against the storms. For the same reason | it is the most ancient tradition 181C
of the Churches of France and Germany in common that the procedure used to settle the wind involves the Sacrament of the Altar[657] and Holy Words."

Because this method involving the carrying of the Sacrament to calm the wind seems to be something superstitious to many people, since they do not understand the rules by which it is decided whether something is superstitious or not, it should be noted that five rules (considerations) are laid down by which anyone can recognize whether a work offered to God is superstitious, that is, an observance going beyond the limit of the Christian religion, or it is intended for the purpose of offering to God due worship and honor and derives from the true virtue of religion in acts both of heart and of body. These considerations are based on the gloss on the passage of the Apostle, "Which things have a rationale of wisdom in superstition" (Colossians 2[:23]), which says, "Superstition is religion maintained beyond the limit," as has also been mentioned above.[658]

The first rule is that in all our works the glory of God should be our main end according to the passage, "Whether you are eating or drinking or doing something else, do everything for the glory of God" [1 Corinthians 10:31], and therefore in every work relating to the Christian religion, it should be noted | whether the work is for the glory of God 181D

[657] I.e., the consecrated host.
[658] 171D–172A.

and in the work the man is principally giving glory to God, so that through this work the man's mind is also subordinated to God. Indeed, although this rule means that the ceremonial or judicial provisions of the Old Testament are not practiced under the New Testament, since we know that while the former practices were proclaimed in figurative sense,[659] the latter were proclaimed in truth, nonetheless, the carrying of the Sacrament or of relics to calm the wind does not seem to violate this rule.

The second rule is that it should be noted whether the work that is being done is for the purpose of training the body or is conducive to restraining lustful desire or to bodily abstinence, provided that this is in a manner appropriate for virtue, that is, according to the ritual of the Church or according to moral doctrine, since the Apostle says, "Your obedience should be reasoning" (Romans 12[:1]). Since this second rule means that those who vow not to comb the hair on their heads on Saturday or to fast on Sunday as the better day and the like act foolishly, it again does not seem that the carrying of the Sacrament and so on is superstitious.

The third rule is that it should be noted whether the work is in accor-
182A dance with a decision of the Universal | Church or with the testimony of Sacred Scripture or at least with the specific ritual of a church or general custom, which according to Augustine should be considered as a law.[660] (This is why, when the Bishop of the Angles[661] complained that the Church had various customs in celebrating the Mass, St. Gregory wrote in response to him, "The decision is that if you have found in the Church of Rome or of the Gauls or in any Church something that could be more pleasing to God, you should select it carefully." For the

[659] It was held that the later Christian religion was "prefigured" in the rituals laid down for the Jews by God in the Old Testament, and hence medieval exegesis tended to see (often in a rather far-fetched way) Christian practices being mentioned in a "figurative" way in the Old Testament.

[660] In one letter (*Letter* 26 [86], quoted in *Decretum* 1.11.7), Augustine says that in the absence of apostolic authority, the "ancestral custom of the people of God" should be upheld. While he does say that this should be upheld as law, two other letters make it clear that he refers to universally accepted customs and *not* to local variants. In one letter (*Letter* 118, quoted in *Decretum* 1.12.11), he states that when a custom cannot be attributed to the apostles or to the decision of an ecumenical council and is not contrary to the faith or to morality, it is indifferent whether it is followed, so one may as well do so to fit in with one's neighbors, but in a second letter (*Letter* 119, quoted in *Decretum* 1.12.12) he asserts that all locally varying customs whose origins cannot be discerned should be ruthlessly abolished. While one may be uncertain as to whether Augustine would have considered the practices discussed here to be consonant with the faith and morality and thus worthy of being followed, he most certainly did not grant blanket legitimacy to such observances.

[661] I.e., of the newly converted Angles and Saxons in Britain.

various customs of the Church in the worship of God are in no way repugnant to the truth and should for this reason be maintained, and it is unlawful to neglect them.) Therefore, since the very ancient customs of the Churches of France and of certain Churches of Germany have decided, as was mentioned in the beginning, to carry the Eucharist to calm the wind, it will not be possible for this to be unlawful, though it should not take place in the open but in a concealed and locked chapel.

The fourth rule is that an examination should be made of whether the work that is being done has a natural property leading to the effect that is expected. Otherwise, if it does not, it is considered superstitious. On the basis of | this consideration, unknown characters and suspect 182B
names, as well as astrological and nigromantic images, are all rejected as being suspect. Therefore, we cannot say on the basis of this consideration that the carrying of relics or of the Eucharist against harassments at the hands of the Devil is superstitious. Rather, it is very religious, since all our salvation against the Foe[662] is contained in them.

The fifth rule is that care should be taken that the work that is being done should not provide an opportunity for scandal or spiritual ruin, because in that case, even if it was not superstitious, the scandal would still cause it to be omitted or postponed or carried out in secret without scandal. Therefore, if this carrying can be done without scandal or at least secretly, then it should not be neglected. For the result of this rule is often that blessings consisting of devout words, whether said over ill people or intended for tying onto the neck,[663] are neglected (by laymen). I say "neglected" because they are not at any rate performed in public in situations where they could give an opportunity for spiritual ruin among simple people.[664]

Let these statements suffice for the topic of remedies against hailstorms through | lawful words and works. 182C

[Note on Sources
Major identified sources for Ch. 7:
Aq. *Summa* 2/2.93.1, 2
Nider, *Ant Hill* 5.4
*Praec.* 1.11.9, 23, 26, 28, 34
William of Auvergne, *De Legibus* 27]

[662] I.e., the Devil.
[663] For such amulets, see 173B–C.
[664] I.e., laymen.

## CERTAIN HIDDEN REMEDIES AGAINST CERTAIN HIDDEN VEXATIONS ON THE PART OF DEMONS

### Chapter Eight

ONCE AGAIN JUDGMENT IS being suspended in order to describe remedies against certain injuries to the fruits of the earth. These injuries are inflicted sometimes through worms[665] and sometimes through insects that fly in the air over long stretches of the earth in swarms, so that they seem to cover its surface, consuming all the plant matter consisting both of vines and of the crops in the fields and grass down to the roots. Also, remedies for babies exchanged through the work of demons.

As for the first, it should be said that when St. Thomas asked whether it is lawful to adjure an unreasoning creature (*Second of Second*, Q. 90 [*Summa* 2/2.90.3.Co.]), he answered that it is, but by way of compelling them. In this case, such compulsion ought to be applied to the Devil, who uses unreasoning creatures to harm us. This is the method of adjuration in the Church's exorcisms, through which the power of the demons
182D is debarred from unreasoning creatures.| For if intention were ascribed to the unreasoning creature, such intention would be vain in terms of the creature, since it understands nothing. Hence, one is given to understand that these creatures can be repelled through lawful exorcisms and adjurations (with the assistance of God's mercy), so that fasts, processions and other acts of devotion should first be enjoined on the congregation. For evils are inflicted on account of acts of adultery and the increase in such crimes, and therefore people should also be encouraged to make confessions. In certain provinces, excommunications are fulminated, but in that case they acquire the force of an adjuration concerning the demons.

There is also another terrifying form of permission granted by God concerning humans. In certain instances, demons remove women's children and youngsters from them and substitute other people's. These children are called "changelings" by the common people ("*Wechselkinder*" in German), and they are divided into three categories. Some are always
183A scrawny wailers, and the milk supply of four women would not suffice| to suckle one. Others are produced through the work of demons, though the children are not theirs but belong to the human male whose seed

[665] In the broader medieval significance of flightless insects and other invertebrate vermin, a sense conveyed by the word "bugs."

they took as succubi or by polluting the men in dreams.[666] With God's permission they sometimes substitute these suppositious children after removing the real[667] children. There is also a third kind in instances where the demons attach themselves to wet nurses in the guise of small ones. All three kinds share the trait of being very heavy. They are thin and do not grow, and, as has already been stated, no supply of milk can suckle them. It is also frequently said that they have disappeared into thin air.

Why does God's piety permit such things? It can be said that there are two reasons. The first is that the parents love the children excessively, and so these things are permitted for their benefit. The second is that it is to be presumed that women of the kind to whom such things happen are mostly superstitious and are led astray by the demons in many other regards. Hence, the Lord is truly jealous according to the proper meaning of jealousy, which is the strong love felt for the betrothed. For this reason not only does God not tolerate another man to approach her, | but like 183B
a husband He is jealous of the soul that He bought with His precious blood and betrothed through the Faith, being incapable of enduring mere signs of adultery or the suspicion of touching, conversing with or in any way approaching His enemy, the Devil, who is the opponent of Salvation. If a jealous husband does not tolerate any signs of adultery, how much more is He upset when she commits adultery? Hence, it is no wonder if their own children are removed and substituted with adulterous offspring.

Indeed, to emphasize these facts more strongly, the extent to which God is jealous of the soul and is unwilling to tolerate signs that even give rise to suspicion is clear from the Old Law.[668] To remove His people completely from idolatry, in the Old Law He banned not only idolatry but also many things that could provide an opportunity for idolatry. These prohibitions do not seem to have any benefit in themselves, but they retain it miraculously in their mystical meaning. Hence, not only did He say, "You will not tolerate sorcerers to live upon the earth" (Exodus 22[:18]) but He also added, "He should not live in your land, in case he might make you sin" [Exodus 23:33], just as a harlot | is killed and not 183C
permitted to wander promiscuously among men. Note the jealousy of

[666] I.e., through causing men to ejaculate during sleep (so-called "nocturnal emission") rather than by pretending to be a woman with whom they imagine themselves to be having sex and then ejaculate (cf. 109D).
[667] Literally "their own," it being unclear whether the mothers or the fathers or both are meant.
[668] I.e., the Law of Jews as laid out in the Old Testament.

God in Deuteronomy 22[:6–7]. He ordered that they[669] should not keep both a nest containing eggs or young chicks and the mother brooding above them, but should let the mother fly away, because the gentiles used to interpret this as a sign of fertility or barrenness.[670] In His jealousy, God did not wish to tolerate such a sign of adultery among His People. In this way, old women today judge the finding of a penny to be a sign of a great windfall and judge the opposite when they dream of a treasure trove.

Also, He ordered all vessels to be covered and a jar without a lid to be considered unclean [Numbers 19:15]. There is the erroneous belief that when demons ("*die Seligen*" ["the blessed ones"], as the old women call them, but these are in fact sorceresses or demons in their guise) come at night, they have to eat everything, so that they will give a greater return later.[671] Some people try to color this by calling them "*Schretl*" ["fairies"], but they violate the determination of the Doctors that apart from humans and angels there are no other reasoning creatures. Hence, they[672] can only be demons.

Also, Leviticus 19[:27] says, "Do not cut your hair in a circle or shave
183D your beard." For the idol worshippers would perform these acts | in veneration of the idols.

Also, Deuteronomy 22[:5] says that men should not wear women's clothes or vice versa, because the women would do so in veneration of the goddess Venus and the men in veneration of Mars and the goddess Priapis.[673]

[669] I.e., the Jews.

[670] Oddly enough, the biblical text actually says that the mother is to be released as an omen of prosperity and longevity. There is no statement there about pagan interpretations, which makes the final clause here a little hard to understand. Since the following sentence clearly indicates that the procedure enjoined upon the Jews is taken as a rejection of idolatrous pagan practice, presumably the final clause is being understood as indicating the rejected practice rather than giving the interpretation of the injunction. (No doubt both the biblical passage and the interpretation are dimly understood borrowings.)

[671] These "ladies of the night" represent a widespread element in European folklore. Basically, some form of supernatural females were thought to visit homes at night, and would reward good housekeeping, while a slovenly house would rouse their ire. The specific interpretation here is ultimately based on William of Auvergne, *Bees* 2.3.24. There it is stated that the "ladies of the night" (*dominae nocturnae*) under the leadership of "Lady Plenty" (*Domina Abundia*) are said to bestow an abundance of temporal goods on houses that they visit, that their approval of the household is manifested by their consumption of food and drink, and that for this reason superstitious old women leave jars and other containers uncovered to facilitate this consumption. William strongly condemns this practice, believing these beings to be "evil spirits," and he directly connects this practice with the prohibition in Numbers against leaving jars uncovered. The failure here to mention the practice of leaving jars open for the "ladies of the night" obscures the logic of the paragraph.

[672] I.e., the "ladies of the night."

[673] Priapus was, of course, a male god of the phallus.

Also, for this reason He ordered the altars of the idols to be destroyed, and when the people wished an offering to be made to a bronze snake, Hezekiah destroyed it [2 Kings 18:4], saying, "It is copper."[674] For the same reason he prohibited the observance of dreams and of augury and instructed that a man or woman in whom there was a pythonic spirit be killed (these are now called "*Wahrsagerinnen*" ["female soothsayers"]).

All these acts give rise to a suspicion of spiritual adultery, and therefore, as has been said, God was led to prohibit these acts by the jealousy that He feels for the souls betrothed to Him, just as a fiancé feels for his betrothed. In this way we, both as preachers and as curates of souls, ought to note that no sacrifice is more welcome to God than the jealousy[675] of souls, as Jerome bears witness (*Commentary On Ezekiel* [2.6.1–3]).

Therefore, the extermination of sorceresses in terms of final remedies will next be treated in Part Three of the work. | For this very measure is 184A
the Church's final refuge, to which it is bound by the instruction of God mentioned before: "Do not tolerate sorcerers to live upon the earth" [Exodus 22:18]. The remedies against sorcerer archers are also included there, since it is also true of this kind that it can only be wiped out through the secular arm.

### *Remedy when someone vows himself entirely to a demon out of regard for temporal advantage*[676]

Experience has often taught through true confession that although such people were freed from the Devil's power, they were still very severely harassed for a long time afterwards, especially at night-time (God permitted this as a punishment for them). A sign that they had been freed could be recognized in the fact that the money in their purses and strong boxes gave out after confession. Many events could be cited with reference to this, but they are left out for the sake of brevity.

[Note on Sources
Major identified source for Ch. 8:
Nider, *Praec.* 1.11.30]

[674] This quotation does not appear in the Bible.

[675] This is another untranslatable play on words. In addition to the sense "jealousy," the Latin *zelus* also means religious "zeal," so that the phrase here may mean both the "jealousy for" and the "zeal of" souls.

[676] In the table of contents (4D) this section is listed as Ch. 9, but there is no indication of the start of a new chapter here.

# PART III

## PART THREE OF THE ENTIRE WORK FOLLOWS, WHICH CONCERNS THE METHODS OF EXTERMINATING THEM OR AT LEAST PUNISHING THEM THROUGH DUE JUSTICE IN THE ECCLESIASTICAL AND CIVIL COURT. IT WILL HAVE THIRTY-FIVE QUESTIONS, WITH A GENERAL INTRODUCTORY ONE ADDED AT THE BEGINNING

[TT] WHETHER SORCERERS AND THOSE who abet, receive and defend them are subject in such a way to the ecclesiastical passing of judgment by diocesans[1] and to the civil passing of judgment, that the inquisitors of heretical depravity can be relieved of conducting an inquisition into them.[2] 184B

[AG 1] It is argued that this is so.[3] In Chapter "*Accusatus*" § "*Sane*" (*Liber Sextus*) it says, "Since the business of the Faith, to which the highest priority is given, should not be hindered by other activities, inquisitors into the plague of heresy appointed by the Apostolic See should not intervene in acts of divination or fortune telling or in punishing those who pursue such practices unless they manifestly smack of heresy. Instead,

[1] Simply a synonym for "bishops," in their capacity as head of a diocese.

[2] This question is poorly conceived because it actually deals with three different issues, and the topic is not drawn up very clearly. The main purpose is to argue whether inquisitors may excuse themselves from intervening in cases of simple sorcery. The title and arguments 1–6 concern this issue, but to it is added the related but separate issue of whether bishops may similarly excuse themselves, which is the topic of arguments 7–10. The "*sed contra*" section then notes that an ecclesiastical judge has to intervene, which is strictly speaking beside the point but is taken to undermine the bishops' case.

This whole issue is clearly of interest to Institoris, who had experienced set-backs in conducting inquisitions through the intervention of the Bishop of Brixen, and concerns the respective inquisitorial functions of bishops and inquisitors. Bishops had traditionally been responsible for conducting inquisitions (simply the Latin term for "investigations") into heretical depravity in their dioceses, but the failure of many bishops to exercise this authority effectively led to the creation of a separate inquisition in the early thirteenth century. The working relationship between bishops and specially appointed inquisitors was at times strained, so a number of decretals (papal decrees) were issued to clarify the matter. Here, the argument is made that, while the inquisitors may withdraw from cases involving the Heresy of Sorceresses (because of how tiresome such cases are!), the bishops are not allowed to do so and must take part in these cases, even though the secular courts are involved because of the losses supposedly inflicted by the sorceresses. At first sight, such a solution would hardly seem to make good the difficulties that Institoris had met, if it was the bishops who were causing the trouble. But the whole point of the work is to convince doubters of the reality of sorcery, and the point is emphasized that ecclesiastical authorities may not interfere in the secular court's execution of the death sentence against such "heretics," whether or not they repent (see 236D).

[3] This statement is further indication of the confused thinking in this question. This discussion is clearly set out as a formal disputed question, and by the conventions of this method of discourse, the initial statement should introduce the false conclusion, which will first be supported by false reasons and then refuted along with a point-by-point demolition of the false reasons. But as it turns out, the "rebuttals" at the end all *support* arguments 1–6, but reject 7–10.

they should leave such people to be punished by the judges responsible for them." There appears to be no obstacle in the fact that the Heresy of Sorceresses is not explicitly mentioned in the passage, both because they are punished with the same penalties in the forum of the conscience[4] ("If the sin of the diviners and sorcerers is hidden, forty days' penance intervenes; if it is notorious, the Eucharist is denied, and the same judgment is decreed for those covered by the same penalty": "Consecration," Distinction 2, "*Pro Dilectione*")[5] and also because there seems to be the
184C same instance of guilt in each case, since | sorceresses expect and demand from demons harm to creatures, just as fortune-tellers receive a judgment by lot.[6] Thus, in each case they demand unlawfully from creatures what should be asked of God alone, and for this reason in each case there is the sin of idolatry. In this sense it is noted in Ezekiel 21[:21] that the king of Babylon stood at a crossroads at the head of two roads and questioned the idols by making a pile of arrows.[7]

[AG 2] Also, if it is said that when the chapter says, "unless they manifestly smack of heresy," it is making a restriction about diviners and fortune-tellers in terms of the crime of heresy, in which they are subject to the passing of judgment by inquisitors, and, hence, heretical diviners and fortune-tellers at least are subject to them, the opposite is the case, because in that case diviners by art[8] would have to be presupposed, but these are not mentioned anywhere in the Scriptures.[9]

[AG 3] Also, if sorceresses are subject to the passing of judgment by inquisitors, the reason for this would be the crime of heresy, but that the deeds of sorceresses can be performed without heresy is proven as follows. Trampling the Body of Christ in the mud, which is a very horrible sin, can
184D be performed without error in the intellect, and therefore | also without heresy, since it is definitely the case that the person believes that the Body

[4] I.e., the confessional (see Pt. II n. 421).

[5] The canon in question says nothing of the kind, and since the same punishment is ascribed to it earlier in the work (9C), this error must derive from an intermediate source on canon law.

[6] I.e., when fortune-tellers predict the future by selecting lots, an activity whose accuracy here is assumed and attributed to the work of demons.

[7] I.e., when the future is predicted through the selection of arrows instead of lots.

[8] For the distinction between divination through art and divination through invocation of a demon, see 187A.

[9] This argument is based (somewhat confusingly) on the refutation of a putative counter argument that would assert that the canon does specify episcopal inquisitions into diviners if they smack of heresy. This is rejected on the grounds that the distinction between heretical and non-heretical diviners is equivalent to a distinction between divination by invocation of demons and divination by art, and that the second distinction is invalid because there is no mention of divination by art in the Bible and accordingly the first distinction is likewise invalid. Naturally, the logic of this rebuttal is specious, since the equation of the two distinctions is groundless.

is there and casts it into the mud to gratify a demon in accordance with some agreement in order to obtain some desired goal, such as finding a treasure trove or the like. Similarly, the deeds of sorceresses can also be performed without error in the Faith (though not without great sin), and in that case they clearly escape the passing of judgment by inquisitors and are left to the judges responsible for them.

[AG 4] Also, Solomon offered reverence to the gods of his wives to gratify them but did not thereby incur the apostasy that consists of breach of the Faith, because he was faithful in mind and always retained the Faith, and similarly sorceresses should not be called heretics because of the reverence that they offer to the Devil on account of an agreement entered into with him if they retain the Faith in mind.

[AG 5] Also, if it is said that all sorceresses have to renounce the Faith and should therefore be judged to be heretics, the contrary is the case, because in the situation where they have renounced it in heart and mind, they should still be called not heretics but apostates, and since there is a difference | between a heretic and an apostate, and since only heretics 185A
are subject to the passing of judgment by inquisitors, clearly sorceresses escape the passing of judgment by them.

[AG 6] Also, in 26, Q. 5, [*Decretum* 2.26.5.12] it says, "Let bishops and their ministers strive to completely root out from their parishes the art of fortune-telling and magic, which was invented by the Devil, and if they find some man or woman to be a sectary of this crime, let them shame that person with disgrace and expel him from their parishes" and so on. When the chapter says, "let them leave them to the judges responsible for them," it speaks in the plural with reference to both the ecclesiastical and civil law,[10] and therefore, at least in the cited chapter, sorceresses are made subject to the passing of judgment by diocesans.[11]

If the diocesans wish to relieve themselves of the task in the way that the arguments already cited seem to justify the inquisitors in doing this, and if they wish to remit the punishing of sorceresses to temporal judges, these arguments make it acceptable for them to do so.[12]

[AG 7] It is stated in Chapter "*Ut inquisitionis*" § "*Prohibemus*": "We also quite strictly forbid the aforementioned temporal lords and rulers and their officials | to hold a trial or pass judgment themselves in any 185B

[10] Throughout Pt. 3, "civil" law signifies the "secular" law exercised by the state as opposed to the church's "canon" law.

[11] The chapter referred to here is the famous Canon *Episcopi* (see Pt. 1, n. 151), which in fact says nothing about "leaving them to the judges responsible for them."

[12] Schnyder (1993), 227 takes this paragraph as a further point in the sixth argument.

way concerning this crime, since it is purely ecclesiastical" (here the text is speaking of heresy). It follows, then, that when a crime is not purely ecclesiastical, as is the crime in the case of sorceresses of this kind, they ought to be punished by a civil and not an ecclesiastical judge because of the temporal losses that are caused by them.[13]

[AG 8] Also, in Chapter of the *Code* "Jews" it says in the last line at the end, "Let a person who will assail the Faith of Christ with perverted teaching see his possessions sold at auction, and he is then to be consigned to the penalty of blood"[14] [*Code of Justinian*, 1.9.18.3]. It is not a valid objection to insist that the law is speaking of converted Jews who return to the practice of the Jews. Rather, the argument is thereby strengthened because a civil judge has to punish such people on account of their apostasy from the Faith, and therefore he also has to punish sorceresses as renouncers of the Faith, since renunciation of the Faith in whole or part lays the foundation for sorceresses.

[AG 9] Also, although it is said in the "solution" section[15] that apostasy and heresy are to be taken as the same thing, it is still the civil and not
185C the ecclesiastical judge who has to intervene in their case. | For no one should take advantage of a question of heresies to disturb the congregation; rather, the governor should make provision by himself (*Authentic*, "Imperial Commands," Collation[16] 3, §"*Neque occasione*," where it says, "Nor should you[17] allow anyone to take advantage of a question involving religion and heresy to disturb the province or otherwise allow some injunction to be made on the province which you govern. Rather you yourself will make sure both to make an investigation with due benefit to the affairs of the treasury and to other factors and not to permit our injunctions to be interfered with on grounds involving religion."). It is clear from the foregoing that no one but the governor should concern himself with someone who assails the Faith.[18]

[AG 10] Also, if trying, passing judgment on and punishing these sorceresses did not pertain in their entirety to a civil judge, how could

[13] Schnyder (1993), 227, does not recognize this argument, and hence his numbering of the subsequent arguments is one lower than the count here.

[14] The sense is not necessarily the literal shedding of blood but any sort of physical punishment (esp. burning).

[15] I.e., the "response" (see 191D).

[16] Medieval subdivision of the *Code of Justinian.*

[17] I.e., the governor to whom the ruling was addressed.

[18] This discussion concerns the provisions made in Late Antiquity for the Roman Empire and preserved in the *Code of Justinian*. While this code was theoretically valid in the Holy Roman Empire, even there its administrative provisions would be irrelevant.

the laws[19] concern themselves with these three areas? For Laws "*Nemo*," "*Culpa*," and "*Nullus*" of the Chapter of the *Code* "Sorcerers,"[20] [*Code of Justinian*, 9.18.5, 8, 3] subject all those whom the common people call "sorcerers" to the death penalty, and the Law "*Multi*" [9.18.6] also decrees that those who prey on the life of the innocent through the magic art are to be exposed to the beasts; that they ought to be subjected to interrogation and questioning under torture; | that anyone should 185D be allowed to accuse them; and that no one among the faithful should associate with them under penalty of exile and loss of all property; along with many other associated penalties that will come to the notice of anyone who reads those laws.

[SC 1] On the contrary and in support of the truth, the Doctors of the Laws[21] are able to remit the punishment of these sorceresses to an ecclesiastical judge, so that both judges must try and pass judgment jointly.[22] This is proven as follows. In a crime under Canon law, the governor has to decide with the metropolitan[23] and not the metropolitan by himself but in conjunction with the governor. This is made clear in the *Authentic* "Imperial Commands" § "*Si vero*": "If, on the other hand, the matter under investigation involves the Canon, you will make provision to settle and decide this together with the metropolitan of the province, whether it is bishops who have doubts" – (gloss: "'in the Faith,' in which case he will conduct the trial alone") – "or certain others" – (gloss: "then the bishop by himself with the governor will conduct the trial") – "and to finish the case with an end that is pleasing to and appropriate for God | and will both guard the Orthodox[24] Faith appropriately and ensure 186A security against loss for the interests of the treasury and preserve our

[19] I.e., of the *Code of Justinian.*

[20] Once again, there is ambiguity in the Latin, which means "evil-doer" in terms of the law, but is the same word used throughout the *Malleus* to describe "sorcerers."

[21] I.e., both civil and canon law.

[22] Schnyder (1993), 229, considers this paragraph to be an elaboration of the preceding argument (number 9 by his reckoning), but it is unclear what the logic of the whole would then be, and in any case (and regardless of any considerations regarding the actual content of this and the next two arguments, which contradict what precedes) the absence of any "*sed contra*" section violates the regular practice format for a disputed question.

[23] Under the Roman Empire, the metropolitan was the bishop of the city in which the governor resided, and when the secular and ecclesiastical administrations were brought somewhat into conformity with one another in the fourth and fifth centuries, the metropolitan came to acquire a certain precedence over his episcopal colleagues in the province.

[24] Under the Roman Empire, the terms "orthodox" and "catholic" were both applied to the officially recognized form of Christianity, and only much later do they come to be distinguished, the former referring to the Church of the Greek-speaking Byzantine Empire and the latter to the Roman Church of the Latin-speaking Western Europe.

subjects inviolate" – (gloss: "that is, that they should not corrupt them in the Faith") [*Novels* 17.11].

[SC 2] Also, although it is the secular prince who punishes with the penalty of blood, this does not preclude the judgment of the Church, whose task it is to conduct the trial and reach the definitive judgment.[25] Rather, it necessarily presupposes this, as is clear in Chapter of the *Code* "Supreme Trinity and Catholic Faith,"[26] first law at the end [*Liber Extra* 1.1], and in *Extra*, Chapter "*Ad abolendam*," Chapter "*Vergentis*", the first and second Chapters "*Excommunicamus.*" Rather, there is the same penalty according to the laws and the Canon, as is clear in the Chapter of the *Code* "*Heretics*," Laws "*Manichaeos*" and "*Arriani*" [*Code of Justinian* 1.5.4, 5]. Hence, the punishment of these people also pertains to them, especially when they act jointly and not separately.

[SC 3] Also, while the laws decree that clerics should be corrected by their own judges and not by temporal (secular) ones, because in the case of clerics any crime is considered to be ecclesiastical, the crime of sorceresses, being partly civil and partly ecclesiastical, on account of the temporal losses and of the Faith that they violate, pertains to judges of each side for trial, passing of judgment and punishment.[27]

186B The reasoning is strengthened by the provision of the *Authentic* ("*Ut clerici apud proprios iudices*" Collation 6 § "*Si vero*" [*Novels* 83.1.1/*Auth.* 84.6.11.1]), where it says, "If the crime is an ecclesiastical one meriting ecclesiastical chastisement and fining, let a bishop pleasing to God decide the matter without any participation on the part of the high-ranking judges of the province. For We do not wish civil judges to take cognizance of such cases at all, since it is fitting for them to be examined ecclesiastically and for the souls of the wrong-doers to be corrected through ecclesiastical penalty according to the sacred rules of God, which Our laws[28] do not disdain to follow." Hence, conversely, a mixed crime should be punished by both sides.

[CO] Response. Our main intention in this work is, as far as this can be done with God's consent, to relieve us inquisitors for the regions of Upper Germany of the task of conducting inquisitions into sorceresses (because of the laboriousness of the business) by leaving them for punishment to the judges responsible for them, so long as provision for the

[25] Schnyder (1993), 228, takes this as the tenth argument for the false solution to the question.
[26] In the *Code of Justinian*, this title provides the government's definition of orthodoxy in order to allow for the legal suppression of heterodox views.
[27] Argument 11 by the numbering of Schnyder (1993), 228.
[28] I.e., Imperial laws.

security of the Faith against loss and for the salvation of souls is not thereby undermined, and this is the reason why we have undertaken the present work, leaving to these judges the methods of conducting trials and passing the definitive judgment and sentence. | Therefore, in 186C order to show that bishops may institute proceedings against sorceresses in many instances even without the participation of inquisitors (although bishops may not institute such proceedings without temporal and civil judgment in instances where punishment extends to the penalty of blood), it is a good idea to adduce the views[29] of certain inquisitors in various kingdoms in the Iberian peninsula[30] and (with all due respect, since we all serve in the Order of Preachers) to rebut them, so that a clearer understanding of the details will result.

It is their view that all sorceresses, fortune-tellers, diviners, nigromancers, and in short all those who are categorized under any sort of divination, who, once they have taken up and professed the Holy Faith, are subject to the passing of judgment by them, so that in the three procedures that are noted in Chapter "*Multorum querela*" (at the beginning of the Title "Heretics" in the *Clementines*) the inquisitor cannot in fact carry on with the procedure without the bishop nor the bishop without the inquisitor, although in five other procedures one is able to do so without the other (if someone wishes to, let him read the chapter and he will find the provisions).[31] One of the three procedures | is the 186D definitive sentence, to which the one may not proceed without the other. This is in situations where the accused are to be considered as belonging to any of the categories of heretic mentioned above. On top of this, they add blasphemers and those who invoke demons in any way, and excommunicates who have intentionally remained excommunicate with an obstinate spirit for a year in a matter that does or does not involve the

[29] Note the use here of the derogatory word *opinio*, which implies that the view is not correct.

[30] At this time divided among the crowns of Castile, Aragon and Portugal. The reference here is unlikely to have anything to do with the Spanish Inquisition, which was instituted in 1478 by Pope Sixtus IV at the insistence of Ferdinand of Aragon and Isabella of Castile to deal with the problem of large numbers of converted Jews and Moslems, who were believed to be secretly practicing the religion of their ancestors. Despite references to Spanish inquisitors in the plural, all that is meant here are the views of Nicholas Eymeric, the Spanish Dominican whose handbook for inquisitors, the *Directorium Inquisitorum*, formed the major source for this part of the *Malleus*. In Qs. 3.41, 42 and 43, Eymeric deals with the inquisitorial treatment of blasphemers, fortune-tellers and diviners, and the invokers of demons, the three categories of malefactor which are here denied to be subject to the inquisition. (Cf. 249D, where arguments of Eymeric are anonymously ascribed to "certain people.")

[31] The references in this paragraph are to Pt. 2 of Eymeric's *Directorium Inquisitorum*, where he discusses how various categories of people are subject to the jurisdiction of inquisitors. Q. 2.42 deals with "fortune-tellers and diviners."

Faith, under three specific circumstances.[32] They include many other instances in which the authority of the ordinaries is greatly reduced and further burdens are imposed upon us inquisitors.[33] This would make us less secure before the Terrifying Judge, Who will clearly demand from us a strict accounting of the office entrusted to us.[34]

Because their view will not be rebutted unless the foundation they use for it is abolished, it is to be noted that they receive their main foundation through the glossators on the Canons, especially on Chapter "*Accusatus*" § "*Sane*" and on the words "*heresim sapiant manifeste*" ["they manifestly smack of heresy"]. In addition they find their foundation in the words of the theologians Thomas, Albert and Bonaventure in the *Commentary on Pronouncements*, Bk. 2, Dist. 7. It is a good idea to cite some of these specifically.

187A When the chapter says, as was cited in Argument One, that inquisitors of heretical depravity should not intervene in acts of fortune-telling and divination unless they manifestly smack of heresy, they say there are two varieties of fortune-tellers and diviners, those who use art and those who are heretical.[35] The first are called mere diviners in that they act merely on the basis of an art,[36] and these are spoken of in Chapter "*Ex Tenore*" (*Extra*, Title "Fortune-Tellers"), where it says that the priest Uldaricus went to a secret location with a person of bad reputation ("with a diviner," says the gloss), not with the intention of invoking a demon (as if it were saying that this would be heretical), but in order to find some stolen item through examination of an astrolabe[37] (as if it were saying that this is mere divination or fortune-telling). The second group of diviners are called heretical, because in their art they give some honor consisting

[32] Eymeric's Qs. 2.41, 43 and 47 deal respectively with "blasphemers," "those who invoke demons," and "excommunicates who remain in excommunication for a year with an obstinate spirit for a year." Presumably, these questions in particular are cited explicitly because they treat topics that could be relevant to the Heresy of Sorceresses.

[33] This refers to topics treated by Eymeric that are not relevant to the issue at hand: "Christians who go over or return to the rite of the Jews" (2.44), "Christians who go over to the sect of the Saracens" (2.45), and "Whether infidels who commit crimes in violation of the Christian religion are subject to the jurisdiction of inquisitors" (2.46).

[34] For this idea, see 2B.

[35] This paragraph deals with a section of Eymeric 2.42 ("Fortune-Tellers and Diviners"), and the argument made here is simply Eymeric's alone and is not based on the canonists or theologians mentioned in the preceding paragraph.

[36] As examples, Eymeric cites those who divine and make judgments about natural effects and the circumstances of a person on the basis of "chiromancy" ("the lines of the hand"), and those who use the "evenness or unevenness" of warts to divine something that is present but considered hidden.

[37] An instrument for making astronomical observations, esp. determining the elevation of celestial bodies.

of service (worship) to the demons and attempt to predict the future through divination or follow some similar practice which manifestly smacks of heresy. Such diviners are subject to the passing of judgment by inquisitors, just like other heretics.

They use the glosses of the canonists on the word *saperent* ["they would smack"] to prove that this is the sense of the chapter. John Andreae says the following on the cited Chapter "*Accusatus*" and the word *saperent*: "'They would smack': for example, uttering unspeakable prayers at the altars of idols, offering sacrifices, consulting demons, and accepting their responses. They adopt heretics as companions in order to use the divinatory lots, or they perform these acts with the Blood or Body of Christ,[38] or in the case of lots they rebaptize a child in order to get responses, or the like." In the same sense they cite the Archdeacon on the same Chapter, §"*Sane*," on this same word, "*saperent*." They also cite John Monachi, Raymund, and William of Montlezun.[39] 187B

Also, they offer as proof the determination of the Church at the Council of Acquira[40] (26, Q. 5, "*Episcopi*"), where superstitious women of this kind are called infidels. The text says, "Would that they had died alone in their breach of the Faith!" and breach of the Faith is called heresy in the case of a Christian. Hence, they are subject to the passing of judgment by the inquisitors of heretics.[41]

In addition, they offer theologians as proof, first using St. Thomas in *Commentary on Pronouncements*, Bk. 2, Dist. 7 [*Summa* 2.7.3.2.Co.], where he asks|whether it is a sin to use the help of demons. There, among other words, he says on Isaiah 8[:19] ("Will the people not need a vision from their God?"), "In all matters in which the fulfillment of a work is 187C

[38] I.e., the transubstantiated wine and bread of the eucharist.

[39] These authorities are all cited in succession by Eymeric in his discussion of those who invoke demons (2.43). (In between John Monachi and William of Montlezun appears a discussion of the non-heretical nature of love magic, which is omitted as irrelevant to the topic; for the content of this see n. 496.)

[40] See Pt. 1 n. 402.

[41] Actually, this is a misrepresentation of what Eymeric says. He argues that the Canon *Episcopi* categorizes the "criminal woman" that it discusses as "deviating from the Christian way," which constitutes heresy in a Christian, and then he makes an a fortiori argument in the form of a rhetorical question. Since the canon says this of these women even though it is not proven (*non constat*) that they show honor to demons and make sacrifices to them after invoking them, how much more is it the case that those who commit such acts are heretics? Eymeric's point is to demonstrate that those who do honor demons in this way are subject to inquisitorial jurisdiction, but his argument implies that it is by no means clear that the women discussed in the Canon *Episcopi* commit such acts, and since that this canon was apparently cited by those who denied the existence of sorcery and such efforts are consequently taken to assert the "correct" interpretation of the canon (e.g., 8B), it would hardly do to have its relevance called into question, as Eymeric's argument does.

expected from the virtue of a demon, there is apostasy from the Faith because of the agreement entered into with the demon, either merely by word if an invocation is involved, or by some deed, even if sacrifices are not involved."[42] To the same effect they cite Albert on the same work and distinction, Peter of Bonaventure who has recently been canonized (he is not called Peter, though this was his real name),[43] Alexander of Hales and Guido of the Order of Carmelites. These all say that those who invoke demons are apostates and consequently heretics, and they are therefore subject to the passing of judgment by the inquisitors of heretics.

The following proves that neither these citations nor any other arguments made by these inquisitors prove satisfactorily that such fortune-tellers and the rest cannot be subject to the passing of judgment by ordinaries (bishops) without the participation of inquisitors, and that the inquisitors can relieve themselves of the task of conducting an inqui-
187D sition into such diviners, | nigromantics or sorcerers. (Not that those inquisitors who conduct such inquisitions when the bishops do not do so are acting wrongly. In such a situation, they are rather to be commended.) Inquisitors ought to intervene only in the crime of heresy, and at the same time this crime must be manifest. This is clear from the frequently cited Chapter "*Accusatus*," § "*Sane*." If this position stands, in turn the argument is made that in a situation where someone commits crimes that can be committed without heresy, however serious and heinous such crimes may be, the criminal should still not be judged as a heretic, though he should be punished. From this it follows that when someone should not be judged as a heretic but should be punished as a criminal, the inquisitor should not intervene. Rather, he ought to leave the punishment of such a person to the judges responsible for him according to the text of the Canon. If this position in turn stands, it follows that unless all the acts included by the glossators, canonists and
188A theologians, like invoking demons, sacrificing to them and so on | (as described above), derive from the vice of heresy, inquisitors should not

[42] This quotation, borrowed and abridged from Eymeric, has been somewhat distorted. Aquinas's words are not a gloss on the biblical quotation (which simply is cited at the end of the earlier part of the quotation, which is omitted here). Instead, his words apply to "all magical works."

[43] I.e., the scholastic named Peter of Bonaventure, who died in 1274 and had recently been canonized under the name St Bonaventure in 1482. The exhibition of this little piece of erudition is apparently motivated by the fact that in the passage of Eymeric adapted here, Eymeric repeatedly gives a title (e.g., where the man was bishop or what monastic order he belonged to) for the authorities he cites, and while most of these are omitted here, the author wanted to show that he too was conversant with such matters.

intervene but should leave them to the judges responsible for them (as above). If this position in turn stands, then since these crimes can very often be committed without the vice of heresy, in that case those who commit them should not be considered or pardoned as heretics, which is demonstrated by the following authorities and reasonings.

Five conditions are needed for someone to be properly speaking a heretic. The first is that there should be an error in reasoning. The second is that this error should concern matters of the Faith and be contrary to the truth of the Church's determination in matters pertaining to the Faith or morality or the necessities for attaining eternal life. The third is that this error should be in a person who has professed the Catholic Faith. Otherwise he would be a Jew or a pagan, not a heretic. The fourth is that the error in one who has undertaken the Faith should be such that he still avows some truth about Christ concerning His divinity or humanity. Otherwise, if he disbelieves the whole matter, he would be an apostate. The fifth is that he should chose and follow this error with a determined and obstinate will.

That the Chapter "*Accusatus*" and the word "*saperent*" are understood 188B
to concern heresy and a heretic taken in this sense is proven as follows (here the glosses of the canonists are not refuted but upheld). The first condition (error in understanding) is known to everyone through the common rule that two things are required for someone to be called a heretic. The first relates to the subject matter, that is, error in reasoning; the second relates to the form, that is, obstinacy in will.[44] This is made clear by Augustine [*Utility of Believing* 1.1]:[45] "A heretic is one who begets or follows new and false opinions."

This conclusion is backed up by reasoning. Heresy is a variety of lack of faith, and lack of faith exists as an entity in the understanding in the same way that Faith does (opposites of each other must relate to the same thing).[46] If this position stands, no act or work lacking error makes a person a heretic. For example, if someone commits fornication or adultery, although he does so contrary to the truth that says, "Thou shalt not commit adultery" [Deut. 20:14], he is not thereby a heretic unless he believes or holds the opinion that it is lawful to fornicate.

[44] This conception represents a rather odd application of the Thomistic notion that the physical matter of the world is turned into objects when the "form" that abstractly determines them is "pressed" upon it. It would seem that the general "material" of erroneous thinking is "formed' into heresy when it is determined by an obstinate resolve to hold the view.

[45] Quoted in *Decretum* 2.24.3.28.

[46] For another application of this aphorism of logic, see 92A–B.

There is also the reasoning that in any situation where two pre-requisites are needed to constitute something, when one of these is lacking, that thing's existence is impossible, because if the opposite
188C proposition | (that it could exist without that pre-requisite) holds true, then such a pre-requisite would no longer be needed to constitute the thing. For instance, because a foundation, walls and a roof are necessarily needed to constitute a house, when one is lacking, it is not considered a house.

Thus, because an error in understanding is necessarily needed to constitute heresy, in the absence of an error in understanding no act can make a heretic in the absolute sense. For this reason, we inquisitors in Germany say with St. Antoninus, who treats this topic in Part Two of his *Summa* [actually, 3.12.5], that as for baptizing images, worshiping demons, burning incense for them, trampling the Body of Christ under foot in the mud and all such acts that are very horrible sins, unless there is an error in understanding, these acts do not make a person a heretic. Accordingly, suppose that someone does such things, for example baptize an image, without having a wicked opinion about the Sacrament of Baptism or about its effect and without believing that this baptism has any substance or has effect because of its power, but does this merely in order to attain the more easily some goal from the demon whom he is seeking to gratify with this act. Hence, in accordance with some implied
188D or express agreement | he does this so that the demon will do what he asks for himself or to someone else. This would be in accordance with the procedure of the magical arts whereby humans invoke demons with characters or figures by an overt or implicit agreement to fulfill their desires, provided that they do not seek from the demon what is beyond his ability in terms of either power or knowledge. That is, the person must do this without having a wicked opinion about the demon's power or knowledge, such as would be the case with those who believe that the demon could compel a man's free will, or those who believe that as the result of such an agreement for any purpose whatsoever, the demon could, despite not having God's permission, do what they ask, or those who believe that he could know the outcome of a future contingency or produce an effect that is restricted to God alone. There is no doubt that such people would have an error in understanding and a wicked opinion about the power of the demon. Consequently, on the assumption that the other requirements for heresy are present, these people would be heretics and subject to the passing of judgment by ordinaries and inquisitors together.

If, as commonly happens, people act for the reasons mentioned above without having a wicked opinion about baptism|or other matters already 189A
mentioned, then because the sorcerers and nigromancers, since they know the Devil to be the enemy of the Faith and the opponent of salvation, necessarily hold in their hearts the view that there is great force in the Faith, and because the Faith cannot be subject to any falsehood, of which it is common knowledge that the Father of Lies[47] alone presides over it, then although the people who do such things sin most severely, they are nonetheless not heretics. The reasoning is that they do not have a wicked opinion about the Sacrament, although they make wicked and sacrilegious use of it, and therefore they are fortune-tellers rather than heretics and are categorized among those about whom the cited Chapter "*Accusatus*" asserts that they are not subject to the passing of judgment by inquisitors since they do not manifestly smack of heresy but barely do so in a covert way or in virtually none at all.

It is the same with those who worship a demon or sacrifice to him, because if they do this believing that there is divinity in demons or that adoration should be offered to them or that they in any way attain what they ask of the Devil as a result of offering such service, regardless of God's prohibition or permission, such people would be heretics. But if they do these things without such an opinion about|the demon, but in 189B
order that by some agreement with a demon they may, through these acts, more easily obtain from him what they have in mind, the nature of the situation means that these people are not heretics, though they sin severely.

For greater explanation, some objections should be raised.

[AG 1] It seems to be an objection that according to the laws someone guilty of simony[48] is not a heretic, as is stated in 1, Q. 1 "*Quisquis per pecuniam*," and yet he has no error in his intellect.[49] For a man guilty of simony is not properly speaking a heretic but is one in loose sense because of a certain similarity. For the fact that he is selling or buying holy things means that he acts as if he thought that the Gift of Grace could be acquired with money, according to Thomas [*Summa* 2/2.100.1.Ra1].

[47] Yet another circumlocution for the Devil.

[48] The prohibited practice of acquiring an ecclesiastical benefice through purchase.

[49] The reading "is not a heretic" should state exactly the opposite, both because the cited canon states that someone guilty of simony is a heretic and because the logic of the passage likewise dictates the removal of "not." However, the fault probably lies with clumsy adaptation of the source (Antoninus), who says, "It is no objection that according to the laws someone guilty of simony is called a heretic." When the putative objection was rewritten to indicate that it could be raised rather than that it was being rejected outright, the negation was apparently shifted erroneously into the content of the objection.

But if he does not think this, as is commonly the case, he is not a heretic, since he does not believe this. It would be quite true that he is a heretic if he does believe that the gift of Grace can be acquired with money.

[AG 2] It seems to be an obstacle that Chapter "*Quicumque*" ("*Heretics*") and the cited Chapter "*Accusatus*" say that someone who worships a heretic is a heretic. A person who worships a demon sins more severely than does a person who worships a heretic, therefore (and so on).

[AG 3] Also, it seems that a person who is to be judged as a heretic is a heretic, since the judgment ought to be based in reality. But such[50] a
189C person is to be judged to be a heretic. | The Church can pass judgment only on those things that are overt (it is God Who tries and judges hidden things: Dist. 33, "*Erubescant*"), but the things that are in the understanding can be revealed only as a result of seeing or proving external acts. Therefore, a person who does such things is judged to be a heretic.

[AG 4] Also, it seems to be impossible that someone who does such things (trampling on the Body of Christ and the like) does so unless he has a wicked opinion about the Body of Christ. This is proven on the grounds that it is impossible for there to be evil in the will without there being an error in the understanding, since according to the Philosopher [*Nicomachean Ethics* 3.2] every evil person is in fact ignorant or erring.[51] Since, therefore, those who do such things have evil in their will, they have an error in their understanding.

Response to these arguments.[52]

First, the first and third because they overlap.

There are two kinds of judgment, one belonging to God, Who sees inner matters, and the other to men, who can pass judgment on inner matters only through outer ones, as the third argument admits. Now the man who is judged to be a heretic in the judgment of God is truly a heretic according to reality, since God judges only a person who has an error of the Faith in his understanding to be a heretic. As for the
189D person who is judged to be a heretic in the judgment of men, it is |

[50] I.e., one who commits outward signs of heresy without meeting the standard of actually holding a heretical belief commensurate with the act. The argument goes that since such a person is not in fact a heretic according to the view advocated here, he should not be condemned as one.

[51] What Aristotle meant was that since evil was contrary to reason (as he would have it), those who commit evil must be mistaken ("erring") in their thinking. This sense of "erring" has nothing, of course, to do with the technical Christian meaning of the word ("deviant in doctrine").

[52] The responses from here to 193B deal with the immediately preceding objections rather than the initial arguments laid out in 184B–185D.

necessarily the case not that he is a heretic according to reality, but that he has committed an act by which it is apparent that he has a wicked opinion about the Faith and consequently is considered a heretic by the presumption of the law.

If it is asked whether the Church must immediately make the judgment that people who worship demons or baptize images in this way are heretics and punish them as such, note the following responses. The first is that making such a decision pertains more to canonists than to theologians. While the canonists will say that by the presumption of the law he is considered a heretic and should be punished as such, the theologian will say in an initial judgment subject to correction by the Apostolic See that the answer is no as far as reality is concerned, whatever the case may be under the presumption of the law. The following reasoning may be adduced. Whenever some effect can depend on two causes, the precise cause in reality can never be judged on the basis of that effect. This effect (worshiping a demon or asking for his help to inflict sorcery by baptizing an image or by offering a live baby or killing it or something else of the kind) can derive from two causes: either the belief that the demon | should be worshipped and sacrifice made to him and that the 190A
images take on the effects of the Sacraments, or the notion that by some agreement made with a demon I bring it about that I will more easily obtain what I want from the demon with reference to things that are not beyond his ability (as discussed above). Therefore, I[53] ought not to judge immediately on the basis of such an effect one precise cause (that he does this because he has a wicked opinion about the Faith). Hence, when there is general agreement about an effect of this kind, a further inquisition should be made into the reason. If he did this as a result of error and perversity in the Faith, he should be judged to be a heretic and is subject to the passing of judgment by inquisitors in conjunction with the ordinaries, but if he did so for some other reason, he should be judged as a fortune-teller and a very foul sinner.

Another response to our topic of discussion. Whatever the outcome of all the quotations and citations, it is generally agreed that all diviners and sorcerers, who are judged to be heretics by the presumption of the law and not according to reality, are subject to the passing of judgment by ordinaries but not by the inquisitors, and that the inquisitors in other kingdoms mentioned above cannot defend themselves on the grounds that they judge those who sacrifice to demons and worship them to be

[53] Somewhat confusingly, this "I" is the judge, while the "I" in the preceding sentence refers to the purported heretic.

190B heretics | by the presumption of the law and not according to reality. The text says that they ought to smack manifestly of heresy, that is, intrinsically according to reality. It will be sufficient if we inquisitors intervene in the cases of heretics tainted according to reality, leaving the others to the judges responsible for them.

As for the statement that it is necessary to conduct an inquisition into the cause, that is, whether or not he did this as the result of error, this will clearly be easy. For just as a faithful habit[54] is recognized through a faithful act (believing in and avowing the matters of the Faith) and a chaste habit is recognized through chaste living, the Church can judge someone to be a heretic by making an inquisition into whether he has an act of disbelieving or holding a wicked opinion about some article of the Faith. The same is also the case with the question of whether a sorceress, who has renounced the Faith in whole or in part or treated the Body of Christ very foully and rendered homage, has performed such acts merely to gratify the demon. If, on the other hand, she made a complete renunciation in her heart, she will then be judged to be an apostate, and the fourth condition that must contribute to someone's being called a heretic properly speaking will be lacking.

190C If | the bull and document of appointment[55] that Innocent VIII drew up for us, in which sorceresses are made subject to the passing of judgment by inquisitors, is cited as an objection to this determination, the response is that diocesans are not excluded by those provisions from using the ancient provisions, as has been mentioned, to institute procedures against them up to the point of passing the definitive sentence, since this bull was delivered to us inquisitors in furtherance of the care that we bestow on the work to the best of our abilities with the help of God.[56]

[RA 1] Hence, the first argument does not support those inquisitors, and instead it comes to the opposite conclusion, since it is only by a presumption of the law that the people who are guilty of simony in this way are considered heretics. Bishops are able to pass judgment on them by themselves without asking for the co-operation of inquisitors, and in fact inquisitors should not intervene in the case of people guilty of the various forms of simony and, by similar reasoning, in the cases of others

[54] For the sense of "habit" as a general attitude, see Pt. 1 n. 370. In this context, an "act" is a specific instance or realization of the general "habit."

[55] I.e., the Bull *Summis desiderantes*.

[56] The distinction between new provisions and the old provisions refers to the traditional role of the bishops in conducting local inquisitions as contrasted with the comparatively recent institution of the independent inquisition appointed directly by the pope (see n. 2); cf. 220C, 211A, C.

who are judged heretics only by a presumption of the law. For they cannot institute proceedings against schismatic bishops or other high-ranking prelates,[57] as is explained in Chapter "*Inquisitionis*" (*Liber Sextus*, "*Heretics*"), where it says, | "Inquisitors of heretical depravity appointed 190D
by the Apostolic See or by anyone else[58] cannot make an inquisition into a crime of this nature against bishops or institute proceedings against them on these grounds unless it is expressly stated in the Apostolic See's letter of appointment that they have this competence. If, however, such inquisitors know or learn that bishops or other high-ranking prelates have committed a crime relating to heresy or that they have a reputation for such crimes or are suspected of them, they will be obligated to report this to the Apostolic See."

[RA 2] The response to the second[59] is likewise clear from the foregoing. A person who worships a heretic is a heretic if he worships him in the belief that he should be worshipped or honored because of his doctrine or opinion. If, however, he honors him for the sake of some temporal advantage without there being any error concerning the Faith in his understanding, he is not properly speaking a heretic, but only by a fiction or presumption of the law (by analogy), because he acts as if he had a wicked opinion about the Faith, just like the man whom he worships. Hence, such a person is not subject to the passing of judgment by inquisitors.

[RA 3] The response to the third[60] is clear from the foregoing. | 191A
Although he is judged to be a heretic by the Church on account of external acts that have been seen and demonstrated, it does not, however, follow that he is always a heretic in reality. Rather he is considered one by the presumption of the law. Hence, in this case too he escapes the passing of judgment by inquisitors, since he does not manifestly smack of heresy.

[RA 4] As for the fourth,[61] it should be said that the presupposition that it makes, that it is not possible for someone to trample on the Body of Christ without having a wicked opinion about or perversity in the Faith concerning the Body of Christ, is false, because he can do this in the knowledge that he is committing a sin and in the firm belief that the Body of Christ is there, but with the purpose of pleasing a demon and more

[57] But the prohibition against inquisitors conducting inquisitions into the views of high ecclesiastical dignitaries is irrelevant to the issue at hand.
[58] I.e., bishops who are delegating their duty to conduct inquisitions into heresy.
[59] 189B.
[60] 189B–C.
[61] 189C.

easily obtaining what he wants from him. Although every wicked person errs, he does not do this by an error of understanding, which is heresy, or through erring by holding a wicked opinion about matters relating to the Faith but by holding such an opinion about matters relating to some virtue, the working of whose opposite is counted among the vices. This constitutes only the first pre-requisite that is needed for heresy properly speaking and results in a heretic being subject to the passing of judgment by inquisitors.

191B It is no obstacle if it is said that|an inquisitor can nonetheless institute proceedings against those with a bad reputation concerning heresy or those lightly, strongly or violently suspected of it, even in an instance where they do not seem to smack manifestly of heresy. The response is that he can conduct an inquisition and institute proceedings about such people to the extent that they have a bad reputation about heresy properly called, which is what we are talking about, as has often been stated. This entails an error in understanding along with the following four additional circumstances.

The second of these is that this error must concern matters of the Faith or contradict the truth of the Church's determination in matters that pertain to the Faith and morality and are necessary for attaining eternal life. If the error concerns things that are not matters of the Faith, for example, someone's belief that the sun is not larger than the earth and the like, this is not a dangerous error. On the other hand, an error against Holy Scripture, the Articles of the Faith or the Church's determination (as described above) is heresy (24, Q. 1, "*Haec est fides*").

Also, the determination of doubtful points about the Faith is principally the role of the Church and especially of the Supreme Pontiff, the Vicar of Christ and Peter's Successor, as is explicitly stated in 24,

191C Q. 1, "*Quotiens*,"|and no doctor or saintly man defends his pronouncement against the Church's determination, as Thomas says (*Second of Second* [*Summa* 2/2.11.2.Ra3]) – not Jerome or Augustine or anyone else.[62] Therefore, someone who makes assertions in violation of the Church's determination in matters that pertain to the Faith and are necessary for salvation is a heretic, just as is someone who steadfastly makes assertions

[62] This notion of the absolute and indisputable right of the church to make pronouncements that deviate from the authority of the patristic age of Late Antiquity (Jerome and Augustine are cited here as the most prestigious figures from that time) was to be assailed by humanist religious thinkers like Erasmus, whose aesthetic desire to reject contemporary Latinity and return to the purity of the works written in antiquity went hand-in-hand with the impulse to "purge" the church of usages that arose during the Middle Ages and found no support in the New Testament or writings of the church fathers of the patristic age.

in violation of the Faith. For it is proven that the Church has never erred in the Faith, as it says in Chapter "*A recta*" (24, Q. 1) and in others.[63] It is distinctly stated that one who makes assertions in violation of the Church's determination not in just any regard but in connection with matters that pertain to the Faith and salvation is a heretic. A person is not a heretic when he gives a contrary pronouncement in other matters, for instance that ownership cannot be separated from usage in connection with things that are consumed by usage, as John XXII explained and determined in *Extravagantes*, "*Ad conditorem.*"[64] There he says that those who contradict this opinion are contumacious rebels but not heretics.[65]

The third thing required is that the error must be in a person who has professed the Catholic truth. If someone had never professed the Christian Faith, he would not properly speaking be a heretic but simply

[63] This idea is the very crux of the issue at the time of the Reformation. While almost everyone in the late fifteenth and early sixteenth centuries agreed that the church as a whole was in need of some reform, there was a fundamental disagreement of what this signified. While those who were to break with Rome wished to abandon various elements of the medieval traditions of the church, on the basis of the principle set out here conservatives rejected out of hand the very premise that in its doctrines the church could have fallen into error.

[64] Francis of Assisi was a strong advocate of following Jesus' example in abandoning all goods and criticized the church's wealth. While the members of the order of friars that he founded (the Franciscans) were to be held to strict vows of poverty, the exact interpretation of this was disputed: some (the "spirituals") held that his injunction was to be followed literally, while others (the "conventuals," who are not be confused with the similarly named Dominicans gave it a looser interpretation. In 1318, John XXII (1316–34) intervened decisively on behalf of the conventuals, ordering the spirituals to submit. When some refused, the inquisition was unleashed on them and four were burned alive. In 1322, the general chapter of the Franciscan Order rejected the pope's views on their poverty, and he replied with a long, quibbling, legalistic discussion of ownership in "*Ad conditorem*," proving (to his own mind at any rate) that usufruct (a concept in Roman civil law by which the enjoyment of something but not its ownership is granted) cannot apply to transient goods (those "consumed by usage") because by the definition of usufruct the use of the good in question falls to the benefit of the person granted the usufruct without detriment to the property itself, which cannot be the case with something that is used up when it is used. Most Franciscans submitted to the pope's determination, but some denounced it, including the Franciscan scholastic William of Ockam, who rebutted the pope point by point. This provoked further pronouncements from John in the form of the immediately following Chs. 4–5 in his *Extravagantes*. The latter in particular ("*Quia quorundam*") not only explicitly defends "*Ad conditorem*" and in the process brands as heresy the notion of Jesus' and the apostles' poverty but defends the absolute right of the pope to make such a determination on the basis of the "power of the keys" (see Pt. II n. 487). This unseemly affair resulted in John becoming the only pope to be accused (by his opponents) of heresy in an unrelated affair (he thought that the saints would not see God until after the Day of Judgment).

[65] Oddly enough, while in "*Quia quorundam*" John complains that those who reject "*Ad conditorem*" assert that in the latter he had tried to silence critics by threatening to condemn them as heretics, and he attempts to rebut this claim by quoting the text to the effect that those who presumed to defend the rejected views would be considered as contumacious rebels, the text of "*Ad conditorem*" in the canon does not in fact seem to contain the clause cited here.

191D an infidel,[66] like a Jew | or a pagan, who are outside the Church. Hence, Augustine says, "When the Devil saw the human race freed from the worship of idols and demons, he impelled heretics to oppose the Christian religion under the designation 'Christian"' (*City of God* [18.51]). Thus, for someone to be a heretic, the error must be in one who has undertaken the Christian Faith in baptism.

The fourth requirement is that, in one who has undertaken the Faith in this way, the error should be such that he avows some truth about Christ that pertains to His divinity or humanity. If he professed no such truth at all, he would more properly be considered an apostate than a heretic (like Julian the Apostate),[67] and the one situation is distinguished from the other, although sometimes the one is taken as the other. In this circumstance are found certain people who, in instances when they are being afflicted with poverty and other vexations, hand over their body and soul to the Devil and renounce the Faith on the understanding that the Devil will assist them in their necessities and in the acquisition of goods and honors. We inquisitors know certain people who later repented, who clearly committed such crimes without an error in the
192A Faith in their understanding since they did so for temporal gain, | and for this reason they are not considered heretics properly speaking or apostates in the heart (like Julian), though their status is more that of apostates.

If apostates in the heart are unwilling to return to the Church, they will be handed over to the secular court as impenitent heretics. If, on the other hand, they are willing, they are received as penitent heretics according to Chapter "*Ad abolendam*" § "*Praesenti*" (Book Five, "Heretics"). Raymund is in agreement in Title "Apostates," Chapter "*Revertentes*" (*Summa* 1.7.4), where he says that, since those who return from the sort of breach of the Faith that is apostasy are heretics, they are to be received like those returning from heresy. (Here one term is taken as the other, as mentioned earlier.) He adds, "On the other hand, although those who renounce the Faith through fear of death" (here understand "who for the sake of temporal gain renounce the Faith to the Devil and do not believe in errors")[68] "are not heretics by law" (note that they are not properly speaking heretics) "after they cease to have the error in their mind, nonetheless, in the judgment of the Church, which must judge inner matters by outer ones, they should be considered heretics" (note

[66] Literally, "someone without faith."
[67] See Pt. 1 n. 498.
[68] It is not at all clear why one should make this equation since the two situations are quite different.

here the fiction of the law) "and if they do return to the Church, | they 192B
should be received as penitent heretics. For the fear of death is not the kind of fear that causes a steadfast Christian to renounce the Christian Faith when it falls to his lot." (You should also understand the same about temporal gains.) Hence, he concludes, "It is more saintly to die than to make a renunciation or eat offerings to idols," as Augustine says (cited in 32, Q. 4 [*Decretum* 2.32.4.8]). The judgment concerning sorceresses who renounce the Faith is similar, so that in an instance where they wish to return, they would be received as repentant without being left to the secular court. They are by all means received into the embrace of the Church in the situation where they ask to be, and they are abandoned, if not handed over, to the secular court (because of the temporal losses they have inflicted),[69] as will be explained[70] in the section on the methods of sentencing.

The ordinary mentioned before carries out everything, so that the inquisitor can entrust his role to the bishop, that is, in this circumstance concerning apostasy. The situation is different in other circumstances concerning fortune-tellers.

The fifth requirement for someone to be properly speaking a heretic is that he must choose this error with a firm and obstinate will and follow these opinions steadfastly. Hence, according to | Jerome [*Commentary* 192C
*on Titus* 3.10], heresy is named after choosing,[71] and for this reason, according to Augustine, it is not the person who begets or follows false opinions who should be considered a heretic, but the person who defends them steadfastly. Hence, if it is not through steadfast evil but through ignorance that someone holds some opinion contrary to the Faith, being ready to accept correction if the false pronouncement that he holds is shown to him to be in violation of the Faith or Holy Scripture or the Church's determination (24, Q. 3, "*Dixit Apostolus*"). This is why Augustine himself used to say, "It will be possible for me to err but I will not be a heretic," being, that is, ready to be corrected when the error is

[69] The distinction is that the unrepentant heretic is to be handed over for punishment for that crime (since the church may not itself execute), while the repentant sorceress is not handed over for punishment directly but is left for the secular court to try as it sees fit on the secular charges resulting from the sorcery (see 224C–D, where the same distinction is made). In 239A the term "hand over" (*tradere*) is used of turning over a heretical cleric for secular punishment, while "leave" (*relinquere*) is used of a similar layman, but elsewhere the two terms are apparently nothing more than synonyms (e.g., 240D, 241C; cf. 244A, where first *tradere*, the more common term is used, but *relinquere* follows in exactly the same context).

[70] Presumably, Q. 27 (236B–238A).

[71] This is etymologically true, though the word in Greek can refer to a philosophical "sect" that one chooses to follow and it is this meaning that gives rise to the Christian term.

shown to him. It is also generally agreed that every day there are among the Doctors various opinions about divine matters that are sometimes contradictory, so that it is necessary for one to be false, but none of them is considered false until it is determined to be such by the Church (as argued in 24, Q. 3, "*Qui in ecclesia*").

On the basis of all this it is concluded that it is not sufficiently proven that sorcerers or others who invoke demons in any way are subject to the passing of judgment by inquisitors either through the statements of the canonists on the word "*saperent*" ["they smack"] in Chapter "*Accusatus*"
192D cited above,|since these people are judged by them to be heretics through a fiction of the law, or through the statements of the theologians, since for their part they define apostates with the phrase "by word or work" but not with the phrase "in mind or heart," which is the error to which the word "*saperent*" refers.

Although they are judged to be heretics, it does not follow that a bishop cannot proceed without an inquisitor to pass the definitive sentence against them or to imprison them as punishment or to expose them to torture. Yet, in a situation where this decision does not seem[72] sufficient to relieve us inquisitors of the task of conducting an inquisition into sorceresses, we nonetheless do not wish to demand this by way of legal right, though we are able to entrust our role concerning them, that is, in the passing of sentence, to the diocesans. This is stated in the beginning of Chapter "*Multorum querela*" (*Clementines*), where it says [§1]: "The complaint of many . . . ," and below: "In order that the business of an inquisition of this kind may be conducted all the more successfully to the extent that the investigation of this blemish will then be completed
193A | more cleverly, carefully and cautiously, We order that it be carried out by both the diocesan bishops and the inquisitors appointed by the Apostolic See, setting aside all carnal love, hatred or fear or desire for any temporal advantage, so that any of the aforementioned parties may, without the other, summon and arrest (seize) people and place them in secure detention, putting them in iron fetters and chains if he thinks this necessary (We lay the burden for these acts upon his conscience). He may also conduct the inquisition against those about whom he will consider it to be expedient in such a case to do so, in accordance with God and justice. If they have access to one another, then within the space of eight days after one party has made a request of the other, neither the bishop without the inquisitor nor the inquisitor without the bishop (or

[72] Presumably, in the opinion of putative bishops, who demand the participation of inquisitors.

his official or the representative of the cathedral chapter if the episcopal see is empty) will have the power to place them in harsh imprisonment, which seems to pertain more to punishment than to detention, or to expose them to torture or to institute proceedings against them up to the point of sentence. If something is presumptuously done otherwise, let it be rendered void and invalid under the law." After this follows the section relevant to our | topic of discussion. "But if the bishop or his (or 193B
when the see is empty, the chapter's) representative with the inquisitor or the inquisitor with one of the others is unable or unwilling to come to a meeting in person for the sake of the foregoing, the bishop or his (or when the see is empty, the chapter's) representative may entrust his role to the inquisitor and the inquisitor may entrust his to the bishop or his representative (or, when the see is empty, to the person delegated for this purpose by the chapter) or signify his advice and consent by letter." This makes it clear that while in five situations the one may institute proceedings without the other, in three he may not do so by any means. Nonetheless, because the one can entrust his role to the other, especially in connection with passing sentence, we too decided to do so by the present document, with the other inquisitors remaining within their own borders.

In response to the arguments.[73]

[RA 1–6] As for the six arguments militating on behalf of the inquisitors, the decision that sorceresses and fortune-tellers seem not to be subject to the passing of judgment by inquisitors is clear from the foregoing.

[RA 7–10] As for the other arguments (those on behalf of the diocesans in the situation where they too | wish to relieve themselves of the 193C
task of conducting the inquisition into sorceresses and to leave them to the civil judgment), it is clear that they cannot do this as easily as the inquisitors, because according to Chapters "*Ad abolendam*," "*Vergentis*" and "*Excommunicamus*" (both) (*Extra*, "Heretics"), it is the ecclesiastical judge's role to conduct the trial and to pass judgment and that of the secular judge to carry out sentence and punish when the sentence consists of the penalty of blood (such is not the case with reference to the various penalties involving penance). It also seems that in the case of the Heresy of Sorceresses (not in the case of other heresies), the diocesans can delegate their role in trying and passing judgment to a civil court, both because the crime of sorceresses, as was discussed in the arguments, is not purely ecclesiastical but is rather a civil one on account of the temporal

[73] I.e., the initial arguments laid out in 184B–185D.

losses that are inflicted, and because it is known that specific laws relating to the punishment of sorcerers have been issued[74] with respect to every method of punishment. Finally, it seems that this method would most effectively serve the purpose of exterminating sorceresses and of providing the greatest relief for the diocesans before the Terrifying Judge, since the testimony of Scripture attests that the harshest judgment hangs over governmental authorities.[75]

193D

We will proceed[76] according to the following distinction. The secular judge can conduct the trial and pass judgment up to the point of the definitive sentence to penance, which he will receive from the ordinaries, but the case will be otherwise with a sentence of blood, which he can pass by himself.[77]

[Note on Sources
Major identified sources for Introduction:
Antoninus, *Summa* 3.5.12
Eymeric, *Dir.* 2.43; 3.97]

To ensure, therefore, that judges in both ecclesiastical and civil courts will always have at hand the methods of conducting trials, passing judgment and sentencing, it will be necessary to go on to treat three basic topics. The first[78] is what the method of initiating proceedings involving the Faith is if the matter relates to sorceresses; the second[79] is what the method of continuing such proceedings is; and the third[80] is what the method of bringing the proceedings to a conclusion and passing sentence is.

Concerning the first, there are five difficulties. The first[81] is which among the three methods that are discussed in the law is more appropriate; the second[82] is the number of witnesses; the third[83] is whether

[74] I.e., by secular authorities.
[75] For the idea that the authorities will be called to account by God, see 2B.
[76] I.e., in the rest of the work.
[77] The point is that a secular judge will exact the penalty of penance imposed by the ecclesiastical judge, but when it comes to the death penalty, he will have to impose it himself. The ecclesiastical judge fully expects that the death penalty will be imposed, but since it is inappropriate to the holiness of a servant of God to do this himself, he will hypocritically and insincerely request that the secular judge impose a sentence that falls short of the shedding of blood (240A, 241C, 242C, 244D, 248A).
[78] 194C–199B.
[79] 199B–217D.
[80] 217D–258B.
[81] Q. 1 (194C–198D).
[82] Q. 2 (196D–197C).
[83] Q. 3 (197C–198A).

they can be forced to give an oath; the fourth[84] is the status of the witnesses; and the fifth[85] is whether mortal enemies are allowed to give testimony.

The second part contains eleven questions. The first[86] is how the 194A
witnesses are to be examined and the fact that five persons should always be present, as well as how the sorceresses are to be interrogated, in general and in particular (this will be the sixth question in the overall order within the book, the number being changed, so that the reader will more easily find the topic he wishes). The second[87] explains various doubtful points concerning negative answers, as well as when she should be imprisoned and when she should be considered as caught manifestly in the Heresy of Sorceresses. The third[88] is the manner of arresting sorceresses. The fourth[89] is the two things that the judge must do after the arrest, as well as whether the names of those giving testimony are to be made known to her and whether lines of defense are to be allowed. The fifth[90] is how lines of defense should be granted to her along with assignment of an advocate. The sixth[91] is what the advocate will do in situations where the names of the witnesses are not made known, and the situation when she claims mortal enmity before the judge. The seventh[92] is how the judge has to investigate mortal enmity. The eighth[93] is the things that the judge has to consider before he exposes the accused to torture. The ninth[94] is the method of passing sentence | to questioning under torture. 194B
The tenth[95] is the continuation of the torture and how the women are to be tortured, and the stratagems and signs that are useful against the sorcery of silence. The eleventh[96] is the final interrogations and the stratagems to be followed by the judge.

[84] Q. 4 (198A–C).
[85] Q. 5 (198C–199B).
[86] Q. 6 (199B–201D).
[87] Q. 7 (202A–D).
[88] Q. 8 (203A–204A).
[89] Q. 9 (204A–205B).
[90] Q. 10 (205B–206B).
[91] Q. 11 (206B–208A).
[92] Q. 12 (208A–209D).
[93] Q. 14 (210A–211B). At this point the continuous numbering of the questions is thrown into confusion, because a question has been omitted here. As the main table of contents indicates, there was to have been a question about what the judge should do when the denounced person demands that he recuse himself (5B). An earlier outline of the project must have listed this question, since the numbering of the subsequent questions is thrown into confusion once the original eighth question was omitted (see n. 215). The present list was obviously drawn up after it was decided to leave out the chapter on challenges to the judge, since this list takes account only of the questions that do appear in the text and numbers them on that basis.
[94] First Q. 15 (211B–213A).
[95] Second Q. 15 (213A–216A).
[96] Q. 16 (216A–217D).

The third part first contains three questions that the judge ought to consider and from which every definitive sentence ought to proceed. The first[97] is whether sentence can be passed with reference to the examination by white-hot sword. The second[98] is the method by which the sentence is to be passed. The third[99] is which suspicions can serve as the basis on which judgment can be passed, and how he ought to pass sentence with reference to every single suspicion.

Finally, with reference to the last[100] part there is a treatment of the twenty methods of passing sentence.[101] Thirteen of these are common to every heresy, and the rest concern the Heresy of Sorceresses specifically.[102] Each will be explained in its place, and hence they are not set out here for the sake of brevity.

## QUESTION ONE: THE METHOD OF INITIATING THE PROCEEDINGS

194C THE FIRST QUESTION IS| what is the appropriate method for initiating proceedings involving the Faith against sorceresses.

Response. The three methods discussed in the *Liber Extra* ("Accusations") consist of denunciation and inquisition. The first is when someone accuses someone else before a judge with a charge of heresy or abetting it, offers to prove this, and writes himself down for the penalty of retribution if he does not prove it. The second method is when someone denounces someone else without offering to prove it or being willing to participate, and instead states that he is making a denunciation through his zeal for the Faith or on account of the sentence of

[97] Q. 17 (218A–219C).
[98] Q. 18 (219D–220D).
[99] Q. 19 (221A–224D).
[100] 224D–258B.
[101] This is a rather misleading characterization of the contents. According to the main table of contents (5C–6A), the figure of twenty methods of sentencing is reached by adding the three introductory questions (17–19) to the seventeen methods that are described there. In fact, there are eighteen methods of sentencing (see 224D–225A), but the last (appeals) is left out of the count in the main table of contents as a separate "conclusion." These eighteen methods are actually treated in only sixteen questions (20–35), since the next to the last question (34) deals with three methods (15–17) (see 251B, 252C–D, 254B–C). That question also treats the topic of aiders and abettors, but there is no notice of that topic either here or in the main table of contents.
[102] The two groups are constituted respectively by Methods 1–13 (cf. "last" in 245B, and 248C) in Qs. 20–32 (224D–245A) and Methods 14–15 (which includes additional methods that are not overtly mentioned there: see 252C–254A) in Qs. 33–34 (248B–254C). Q. 35 (on appeals) is a general topic and should belong to the first group, but is apparently left out of account here (it is not counted as one of the twenty methods in 6A).

excommunication[103] passed by the ordinary or his official or on account of the temporal penalty that the secular judge imposes on those not making denunciations. The third is the method by inquisition, that is, when there is no accuser or denouncer, but the general rumor in a certain city or place is worked up about there being sorceresses. In that case, the judge has to institute proceedings not at the insistence of some party but by virtue of his office. It should be noted that the judge should not really allow the first method of proceeding, | because this method is not 194D customary in a case involving the Faith or in a case involving sorceresses, who practice their acts of sorcery in secret, because it is quite dangerous for the accuser on account of the penalty of retribution that is imposed when he fails to make good the proof, and because it is quite subject to legal disputation.[104]

Let him begin the proceedings with a general summons, affixing it to the doors of the parish church or government headquarters in the following manner. "We, the representative of the Bishop Such-and-Such (or judge of Lord Such-and-Such), yearn with all our desires and desire with all our heart that the Christian people entrusted to us should be comforted in the unity and serenity of the Catholic Faith and in their bowels should be removed from every plague of heretical depravity, and it is for the glory and honor of remembrance of the name of Jesus Christ, for the exaltation of the Holy Orthodox Faith and the suppression of heretical depravity, especially in connection with sorceresses, that the office imposed upon us makes us responsible for these matters. Therefore, to each and every person within the territory of this town or within the town or within two miles of the town, of whatever condition or status" (note that | if an ecclesiastical judge is conducting the inquisition, he 195A should add, "of whatever order or religious vow") "or dignity they may be, to whose notice these commands have reached" (the ecclesiastical judge should add, "by the authority that we enjoy in this regard, by virtue of holy obedience and under penalty of excommunication") "we order and command and in our command require and advise that within the next twelve days counted from now" (here the secular judge will give the order after his own fashion and with the customary penalties) "whoever knows or has seen or heard that some person is reputed or suspected to be a heretic or sorcerer and in particular follows practices that can

[103] I.e., public admonition that anyone who has knowledge or suspicion of heretical activity should report this under penalty of excommunication for failing to do so.

[104] In Eymeric this is not a separate reason for rejecting the procedure but explains why the procedure is dangerous for the accuser.

result in harm to humans, domestic animals or the fruits of the earth and in damage to the common good, they should inform us. Of these twelve days, we set the first four as the first deadline, the next four as the second and the final four as the third, fixing these dates in accordance
195B with the triple warning dictated by the Canon.[105] | If someone does not effectively obey our[106] warnings and advice by not providing information about the foregoing within the limit established, let him know that he" (The ecclesiastical judge should add "is stricken with the sword of excommunication," while the secular judge should add the temporal penalties). "As our admonition according to the Canon dictates and their obedience demands, we pass this sentence of excommunication, now as then and then as now, against each and every person who is contumacious in this way, hereby reserving for ourselves[107] alone the right to give absolution for these sentences." (The secular judge should conclude after his own fashion.) "Issued . . . "

In addition, note with reference to the second method that the second method of conducting and starting proceedings involving the Faith is, as has been mentioned,[108] the method of denunciation, in which case the denouncer does not offer to prove the charge himself and is unwilling to participate and instead says that he is making the denunciation by reason of the sentence of excommunication that has been passed or through his zeal for the Faith or for the sake of the common good. For this reason, the secular judge ought to specify in his general summons (admonition,
195C as set out above) | that no one should think that he will become subject to penalty even if he fails in his proof, because he is offering himself not as an accuser but as a denouncer.

Because many people will in that case appear to offer denunciations to the judge, he ought to note that he should proceed in the following manner. First, he should have a notary and two respectable persons, whether clerics or laymen. If a notary cannot be obtained, then in place of the notary there should be two suitable men. Such is the provision

[105] *Decretum* 2.24.3.6 states, on the basis of the procedure of Roman law, that in order for someone to be declared in contempt of court ("contumacious") he had to refuse three summonses to appear.

[106] Eymeric adds "or rather Apostolic" (see next note).

[107] Eymeric adds "and for our Lord the Pope." This omission and the one mentioned in the preceding note suggest a conscious effort to remove indications that the inquisitor's powers are not absolute but depend upon the pope, to whom appeal is possible. The reason for the omission cannot be for the sake of any putative secular judges, since their differing formulas are overtly noted as such.

[108] 194C.

of the Chapter "*Ut officio*," § "*Verum*" (*Liber Sextus*), where it says, "It is necessary in the case of a serious charge to proceed with great caution, so that there will be no error in pronouncing against the guilty the severity of harsh and due punishment. Therefore it is our wish and command that in the examination of the witnesses whom it will be suitable to accept in connection with the aforementioned charge and the activities connected with it, you should call in two discreet, religious persons" (here the Archdeacon says in the gloss: "Two respectable person, whether clerics or laymen, are understood").[109] "In their presence the depositions of these witnesses are to be written down accurately by an official person, if you can get one conveniently, or by | two suitable men." 195D
Note therefore that after these people have been brought in, the judge should order the denouncer to give the denunciation in writing or at least to say it verbally,[110] and then the notary or judge should begin the proceedings in the following manner.

"In the name of the Lord. Amen. In the year from the Birth of the Lord (and so on) on such-and-such day of such-and-such month, in the presence of my notary and the witnesses listed below, Such-and-Such from Such-and-Such place and of Such-and-Such diocese (as above) appeared in person in Such-and-Such place before the honorable judge and offered to him a complaint to the following effect" (it should be inserted in full). If he does so not by written complaint but verbally, it should be set down in this way: "... appeared ... and denounced to him that Such-and-Such from Such-and-Such place and of Such-and-Such diocese claimed and stated that he knew the following" or "that he committed such-and-such acts of harm against him[111] or his property or to other persons." Having done this, the judge will immediately make the denouncer swear an oath in the customary way, either by the four Gospels of God or on the Cross, with three fingers raised and two pushed down,[112] by | the testimony of the Holy Trinity and at the risk of the 196A

[109] This is a misrepresentation of the Archdeacon's view as reported in Eymeric: "'Religious persons' can be understood here to mean respectable persons, whether clerics or laymen, but it is more likely that it is speaking of religious people [i.e., monks and friars] who have adopted the habit associated with a religious vow."

[110] I.e., if he is illiterate.

[111] I.e., the denouncer.

[112] This traditional ecclesiastical gesture for benediction (with the last two fingers folded over the palm) is already attested in Late Antiquity, but its origin is unclear. Elsewhere, Institoris indicates that in his mind the two pressed-down fingers indicate the damnation of body and

damnation of his soul and body, with reference to his telling the truth about the acts he denounces.

When the oath has been tendered, the judge will ask him how he knows that the things that he has denounced are true, and whether he saw or heard them. If he says that he saw something, for instance that the accused was found there at such-and-such an hour when there was stormy weather or that he touched a domestic animal or that he entered the barn, the judge will ask him where he saw this and when and how often and in what way and in whose presence. If he says he did not see this but heard about it, the judge will ask him from whom he heard it and where and when and how often and in whose presence. The judge will draw up articles about each of these points individually and separately.[113]

The notary (scribe) should put this in its entirety into the records (protocol) directly after the denunciation, continuing as follows. "This denunciation having been made in the way stated above, the inquisitor immediately made the denouncer swear by the four Gospels of God" and so on in the way stated above "about telling the truth about the matters he denounced, and the judge questioned him as to how and in what way
196B he knew the matters that he had denounced | or had a suspicion that they were true. He answered that he had seen (or heard) . . . The judge asked where he had seen (or heard), and he said that on such-and-such day of such-and-such month of such-and-such year in Such-and-Such place. He asked how many times he had seen (or heard)" and so on. The articles should be drawn up in the manner mentioned above and the whole be placed in the protocol. In particular, the denouncer is asked which people in addition to him have knowledge in connection with this case and which can have any. When all this has been done in this way, he will be asked whether he is making his denunciation as a result of ill-will, hatred or a grudge, or is leaving something out as a result of partiality or love, or is making his denunciation at someone's request or suborning. Finally, he will be ordered by virtue of the oath he gave to keep secret whatever he said there or the judge said to him.[114] The whole will be placed in the protocol and records, and when this has

soul for perjury while the three raised fingers represent the Trinity. The *Constitutio Carolina* (the criminal code issued for the Holy Roman Empire in 1532 by the Emperor Charles V) notes (sec. 107) that "it is the customary practice in the Holy Empire to cut off from perjurers the two fingers by which they swore" (seemingly it was thought that it was the depression of the two last fingers that created the operative gesture).

[113] "Article" is the technical term for the separate items that constitute an official list.

[114] It is worth noting that the oath concerned telling the truth, not concealing the proceedings.

been completed, the following should be placed a little bit underneath. "These transactions were conducted in Such-and-Such place on the such-and-such day of such-and-such month and in such-and-such year in the presence of Such-and-Such my notary (or the scribe attached to me for the task of record-keeper) and of Such-and-Such, the witnesses summoned and requested for this purpose."

THE THIRD METHOD OF beginning the proceedings, which is also 196C
the common and usual method. At the same time this would be a secret method, in a situation where no accuser or denouncer presents himself but the general rumor in some city or place is worked up about a sorceress or even about Such-and-Such, and the judge wishes to institute proceedings on the basis of his office without a general summons (admonition; as above), because this constant clamor has reached his ears. In this case, he can again begin the proceedings in the presence of persons as stated above.

"IN THE NAME OF the Lord. Amen. In the year from the Birth of the Lord such-and-such in such-and-such month (or months) it came to the ears of the official Such-and-Such (or judge Such-and-Such) through the report of general rumor and the evidence of clamorous notification, that Such-and-Such from Such-and-Such place said or did such-and-such things pertaining to acts of sorcery in violation of the Faith and the common good of the state." Let the whole be set down in the way reported by the worked-up rumor. Then a little bit below: "These transactions were conducted on such-and-such day of such-and-such month of the year such-and-such in the presence of my notary (or scribe), Such-and-Such, who assisted me in the capacity of record-keeper, and of Such-and-Such, the witnesses summoned and requested for this purpose."

Before the start of the | second part[115] (how proceedings of this kind 196D
should be continued), a few introductory points about the examination of witnesses, and their number and status should be set out.

[NOTE ON SOURCES
Major identified sources for Q. 1:
Eymeric, *Dir.* Pt. 3, "Methods 1, 2, 3 of proceeding in a case involving the faith, by accusation, by denunciation and by means of inquisition" (*modus procedendi in causa fidei per accusationem, per denuntiationem, per viam inquisitionis*)]

[115] As laid out in 194A.

## QUESTION TWO: THE NUMBER OF WITNESSES

IT WAS STATED IN the section on the second method[116] how the statements of the witnesses should be written down, and hence it is necessary to know their number and status.

It is asked whether the judge can, on the basis of the testimony of two lawful, individual witnesses, condemn any woman for the Heresy of Sorceresses or whether more than two are necessarily required. (Witnesses are called "individual" when they are divided in their statements but are concordant about the essence or result of the event. Hence, if one said, "She affected my cow with sorcery," while the other mentioned a child, they would be concordant about the sorcery. Here, then, the question concerns the situation when the witnesses are not individual but altogether in agreement.) The response is that although two witnesses seem
197A to be sufficient | according to the letter of the law, the rule being that every statement in the mouth of two or three stands, nonetheless, on the basis of legal fairness it seems that two are not enough in connection with this charge, for two reasons.

First, there is the enormity of the charge. In criminal charges the proof should be clearer than daylight (*Pandect*, "Proofs" "*Si autem*"),[117] and heresy in particular is counted among the greater charges. If it is stated that in this charge lesser proofs are sufficient on the grounds that someone is revealed in a trivial matter (Chapter of the *Code* "Heretics," Law 2: "With a trivial demonstration he makes himself a heretic in deviating from the judgment and path of the Catholic religion" [*Code of Justinian* 1.5.2.1]),[118] the response is that this is true for a presumption but not for condemnation.

The other reason is the abbreviation of the legal procedure in connection with this charge. In it, the judicial procedure is abbreviated in favor of the Faith, in that the accused does not see the witnesses swear their oath and their identity is not revealed to him in a situation where they could be seriously endangered, as is explained in Chapter "*Statuta*" (*Liber Sextus*, "Heretics"), and hence the accused cannot guess who they are. Instead, the judge is obligated by virtue of his office to conduct a thorough examination of the enmity of the witnesses himself, since enemies are excluded, as will be explained below.[119]

[116] I.e., of beginning the proceedings; see 195D–196B.
[117] The reference should be to *Code of Justinian* 4.19.25 ("*Sciant*").
[118] This is actually a paraphrase of the law, which refers to "those who are discovered, even through a trivial demonstration, to deviate from the judgment and path of the Catholic religion."
[119] Q. 12 (208A–209D).

| If their testimony about the reason for their knowledge is individual, 197B
he will question them a second time, which he can do (*Liber Extra*, "Witnesses" "*Per tuas*" and *Pandect*, "Questionings," "*Repeti*" [*Digest* 48.18.16]). For the more that every path of defense is taken away from the accused, the more it is incumbent upon the judge to conduct a careful inquisition.

Therefore, in a situation where two concordant, lawful witnesses are found against someone, I[120] would still not wish to condemn him for such a crime on that basis. Rather, I would want to impose purgation if he was of bad reputation, or have him make an abjuration because of the strong suspicion that arises from the statements of two witnesses, or to question him under torture, or to postpone sentence. For it does not seem safe to condemn a person of good repute on the words of two witnesses (it is otherwise if the person is of bad reputation).[121]

Regarding this the Archdeacon speaks more fully at the beginning of Chapter "*Ut officium*" § "*Verum*" (*Liber Sextus*, "Heretics") on the word "*testium*" ["of witnesses"] and Chapter "*In fidei*" at the end of the gloss on that chapter; so too John Andreae on the same passages. In Chapter "*Excommunicamus itaque*" (*Extra*, "Heretics" § "*Adiicimus*") it says that the Bishop should make three or more | men of good testimony swear 197C
an oath about telling the truth if they know in the parish that there are such heretics there.

On the same topic. If it is asked whether the judge can justly condemn someone for this heresy with only three individual witnesses, at any rate when the defendant has a bad reputation, the answer is no, he can do so neither with three individual witnesses nor when the accused has a bad reputation (*Extra*, "Witnesses," "*Cum litteris*"), especially since in criminal charges the proofs should be clearer than daylight, as was explained above, and in this charge no one is to be condemned on the basis of presumption (*Extra,* "Presumptions," "*Litteras*").[122] Therefore, purgation is imposed on such a person on account of the bad reputation and abjuration on account of the strong suspicion that arises from the statements of the witnesses. But when three individual but concordant

[120] This "I" comes from Eymeric.

[121] This passage indicates the view that in the case of a person of "bad reputation" the testimony of two people is considered sufficient for condemnation.

[122] This interpretation is different from the one given in his *Memorandum* to the bishop of Brixen. There Institoris asserts (466) that someone can be condemned for heresy on the basis of having a bad reputation for this and one witness. This is legally false, and he appears to have realized this in the interim.

witnesses agree on the essence of the deed and the evidence of the deed, in this case the burden is placed on the judge's conscience.[123]

In the *Directorium* is contained the question of how many times the witnesses can be examined.

[Note on Sources
Major identified sources for Q. 2:
Eymeric, *Dir.* 3.71, 72]

## question three

197D IF IT IS ASKED whether[124] the judge | can force the witnesses to swear an oath about telling him the truth in a case involving the Faith or sorceresses, and also whether he can examine them several times, the answer is that he can, especially an ecclesiastical judge, as was explained above[125] regarding Chapter "*Ut officium*" § "*Verum*," and that witnesses in ecclesiastical cases are to be forced to give truthful testimony by means of an oath (*Extra*, "Compelling Witnesses," Chapter "*Pervenit*"). Otherwise, the testimony will not be valid. In *Extra,* "Heretics," Chapter "*Excommunicamus itaque*" § "*Adiicimus*" it says that the archbishop or bishop should go through the parish in which the heretics are rumored to dwell and compel three or more men of good testimony or, if he thinks it useful, the whole vicinity to swear the oath. Below it goes on, "If any of them with damnable obstinacy spurn the religious obligation of the oath and are unwilling to swear, from this very fact they should be considered to be heretics."

That they can be examined several times is stated by the Archdeacon on the word "*testium*" ["witnesses"] in the Chapter "*Ut officium*" § "*Verum*," where it says, "The inquisitor" (in this case the judge) "ought
198A | to make sure that if the witnesses have given conflicting testimony and have not been asked fully about the reason for their knowledge, he will renew the inquisition with[126] them." This can be done legally (*Extra,* "Compelling Witnesses,"[127] as was discussed above,[128] and *Pandect*, Title "Questioning," "*Repeti*").

[123] I.e., the judge may condemn, but the responsibility for doing so lies within his own conscience.
[124] The heading to this question should be: "Whether they can be forced to give an oath," as indicated by the introductory list (194A).
[125] This topic has not been discussed before, but perhaps the quotation of this chapter in 195C is meant.
[126] I.e., "as the subject of the investigation."
[127] Presumably, a reference to Chapter "*Per tuas*" has been accidentally omitted here (cf. 197B).
[128] 197B.

[Note on Sources
Major identified sources for Q. 3:
Eymeric, *Dir.* 3.62]

## question four: the status of the witnesses

QUESTION about the status of the witnesses. Note that excommunicates are allowed to litigate and give testimony in any case involving the Faith, as are participants and associates in the charges, and the infamous,[129] and criminal serfs against their masters. Also, a sorcerer is allowed to give testimony against a sorcerer in the same way that a heretic is allowed to do so against a heretic, though in default of other proofs and always against and never for. This is also the case with his wife, children and friends (demonstrated by Chapter "*Filii*," *Liber Sextus*, "Heretics").[130] The reason for this is that their testimony is more effective as proof.

The first group is explained in Chapter "*In fidei*" ("Heretics" in the same place): "In favor of the Faith We grant that, in the business of the inquisition of heretical depravity, excommunicates and | participants or 198B associates in the charges should be admitted in default of other proofs against heretics and their believers, harborers, abettors and defenders, if, on the basis of plausible conjectures and the number of witnesses or the quality of both the persons deposing and those against whom the case is lodged and the depositions given or on the basis of other circumstances, those giving this testimony are presumed not to be speaking falsehoods."

When it is presumed that perjurers are deposing through zeal for the Faith is explained in the cited Chapter "*Accusatus*" § "*Licet*," where it says, "Although perjurers are debarred, nonetheless, if those who, in the presence . . . " and below, " . . . if on the basis of manifest indications it appears that it is not through fickleness of spirit or the instigation of hatred or corruption by money but through zeal for the Orthodox Faith that these people wish to correct their statement and to reveal now what they previously concealed, then in favor of the faith, unless there is some obstacle, their attestations should be upheld, both against themselves and the others."

As for the admission of the infamous and of criminals and of serfs against their masters, the Archdeacon says the following on the word

[129] A technical term in the law for someone who is debarred from giving testimony because of a disreputable profession or a prior conviction.

[130] This expansion of the list of those whose testimony can be used against suspects to include family members and friends has been added to Eymeric.

198C "*exceptum*" in the cited Chapter "*Accusatus*," § "*Licet*." | "So great is the stain of the charge of heresy, that to prosecute it even serfs are admitted against their masters, and so is any criminal and even the infamous against anyone, as it says in 2, Q. 7 [*Decretum* 2.2.7.22] § '*Huic opponitur.*'"

[Note on Sources
Major identified sources for Q. 4:
Eymeric, *Dir.* 3.64, 65, 66]

## question five: whether mortal enemies are allowed to give testimony

IF IT IS ASKED whether the judge can allow mortal enemies of someone denounced in such a case to give testimony or to litigate against him, we respond that he cannot. Hence, the Archdeacon (cited above) says, "You should not, however, understand that in this charge a mortal enemy is allowed to litigate (3, Q. 5, Ch. 2 [*Decretum* 2.3.5.2] and "Simony," Chapter "*Licet Heli*" at the end). Hostiensis also has a note about this in his *Summa* [5.1.2] ("Accusations" § "*Quis posset*").

Who are called mortal enemies? Note that someone is debarred only by reason of enmity, and that not just any enemy but only a mortal one is debarred. Hence, it is understood that a death has in fact been inflicted among them[131] or one was intended or those things that are conducive
198D to death | or a means for it or serious or fatal wounds ensued and similar things that are manifestly indicative of the perversity and ill-will of the perpetrator against the victim. For this reason, it is presumed that just as he intended bodily death against him by that method, that is, by inflicting a wound, he would also intend to do so through this method, that is, by foisting upon him the crime of heresy, and that just as he wished to take away his life, he would wish to take away his reputation. Hence, such mortal enemies are excluded by law from giving testimony.

As for other enmities, especially serious ones, in consideration of the fact that women are in fact easily moved to enmities, although these enmities do not completely debar, nonetheless, they weaken their statements to some extent, so that full faith should not be placed in their attestations. Still, with other supporting evidence and the statements of other witnesses, they can provide full proof, especially when the judge questions the person denounced as to whether he thinks that he has

[131] Presumably, this refers to a murder that resulted in a blood feud.

an enemy who would dare out of enmity to foist upon him such an accusation to cause his death.[132] If he says yes, the judge will ask who that person is, and then he should note whether he has indicated that person | about whom there is a suspicion that he has made his deposition 199A
out of enmity. For in the situation where the judge is also informed of the reason for the enmity by respectable third parties and no other supporting evidence or statements of other witnesses come to his notice, he will be able to debar such a witness safely. If, on the other hand, the denounced person will say, "I do not expect that I have some such enemy, although I have sometimes had quarrels with women," or will say, "I have an enemy" and not mention the witness properly but someone else who perhaps has not given a deposition, then, even if others have said that this witness gave the deposition as a result of enmity, the judge ought not to debar his statements but should keep them for full proof along with other supporting evidence.

Very many insufficiently foresightful and circumspect men are found who seek to refute and invalidate women's depositions of this kind, saying that they should not be upheld because women, being quarrelsome, commonly make depositions out of enmity. Because these men are ignorant of the cunning tricks and stratagems of judges, they speak like the blind about colors. (These cunning tricks will be explained in Questions Eleven and Twelve.)

[Note on Sources
Major identified sources for Q. 5:
Eymeric, *Dir.* 3.67 and "On lines of defense for defendants" (*de defensionibus reorum*)]

## PART TWO:[133] HOW THE PROCEEDINGS | ARE TO BE CONTINUED (QUESTION SIX), AND HOW THE WITNESSES ARE TO BE EXAMINED IN THE PRESENCE OF FOUR OTHER PERSONS, AND THE TWO WAYS IN WHICH THE DENOUNCED WOMAN IS TO BE QUESTIONED 199B

NOW Question Six is how | proceedings of this kind against sorceresses in a case involving the Faith are to be continued. The first consideration is that in a case involving the Faith the proceeding is summary, straightforward and informal, without the screeching and posturing of advocates in courtrooms, as is explained in Chapter "*Statuta*"

[132] For this procedure, see also 208C–D.
[133] As laid out in 193D–194A.

(*Liber Sextus*). How these words are to be understood is explained in *Extra,* "Meaning of Words" and in Chapter "*Saepe contingit*" in the *Clementines*, where it says, "It often happens that We delegate cases, and in connection with some of them We order the proceeding to be straightforward and informal, without the screeching and posturing of a courtroom. Many people dispute the meaning of these words, and there is doubt as to how the proceedings should be carried out. Desiring, then, to settle such doubt as far as possible, We ordain by this eternally valid decree that a judge to whom We have delegated a case in this way should
199C be obligated not to demand a petition | or to require a formal joinder of the suit,[134] and should be entitled to carry out lawful proceedings during a holiday indulged to men because of their needs, should cut out delay and curtail as far as possible the subject matter of the suit, debarring the exceptions,[135] appeals and delays that thwart justice, and restraining the disputes and squabbles of the parties' advocates and legal representatives[136] and the pointlessly large number of witnesses. The judge should not, however, throttle the case by not admitting the necessary proofs. It is also Our understanding that this sort of delegation does not exclude the act of summoning and the presentation of an oath about not making a false accusation and about telling the truth so that the truth will not be concealed."

As was seen above,[137] the proceedings are to be started in three ways, because of the insistence of an accuser, the zeal of a denouncer or the outcry of worked-up rumor, and the judge ought not to undertake proceedings on this topic at the insistence of an accuser, since deeds of sorceresses are hidden by the working of demons, and the accuser cannot, as is the case with other charges, institute proceedings and defend
199D himself through the evidence of deed.[138] | Instead, the judge ought to look after the interests of the accuser by removing the word "accusation" and putting down "denunciation," because of the serious danger to the accuser. Therefore, in the second method, which is the usual one, and

[134] This phrase is used here to translate the Latin *litis contestatio*, a term of Roman civil law that signified the procedure by which the litigants of a case thrashed out before a magistrate the terms under which the decision would be reached.

[135] Another Roman legal term, an "exception" was a clause in a law that exempted certain people from its application.

[136] This phrase represents the Latin *procurator*, which is a term from Roman law signifying someone who is authorized by a person to make legally valid decisions on his behalf in his absence.

[137] 194C–D.

[138] Cf. the anecdote in 138D–139B, in which a man happens to observe satanic rites, but must take extreme measures to compel the culprit to reveal herself in front of witnesses, because he had made his initial discovery alone.

similarly with the third, in both of which the proceedings are instituted officially and not at the insistence of a party, it should be noted that it was said in the foregoing that the judge ought to ask the denouncer specifically about which people are knowledgeable about this case along with him or can be, and therefore the judge will have those witnesses whom the denouncer has mentioned and who seem to be knowledgeable about the deed summoned.

The scribe will continue the protocol by writing as follows. "After this, the judge noted that the aforementioned heretical acts denounced to him were by their nature such and so great that they cannot and should not be tolerated with conniving eyes, since they result in insult to the majesty of God and damage both to the Catholic Faith and to the common good, and he resorted to informing himself and examining the witnesses in the following manner."

### *List of questions for the witnesses*

"Witness Such-and-Such, from Such-and-Such place, was sum- 200A
moned and put under oath. Questioned as to whether he knew Such-and-Such (the name of the denounced being stated), he said yes.

"Item.[139] Questioned about the reason for this knowledge, he said that he saw and spoke to him several times (or in such-and-such way or otherwise), because they were associates." (The reasons for the knowledge will be stated.)

"Item. Questioned about the time of the knowledge, he said that it has been ten years (or however many).

"Item. Questioned about the denounced person's reputation, especially with reference to matters of the Faith, he said that in terms of character he is a man of good (or bad) reputation, but as for matters of the Faith he said that there is a story in Such-and-Such place that he follows certain practices contrary to the Faith as a sorcerer.

"Item. Questioned about what the story is, he said . . . .

"Item. Questioned as to whether he saw or heard Such-and-Such doing such-and-such things, he said . . .

"Item. Questioned as to where he heard the aforementioned things said, he said, in Such-and-such place.

[139] Though the word *item* literally means "likewise," the appearance of the Latin word at the start of each article in interrogatories drawn up in the vernacular shows that the word was used merely as a formulaic way of dividing the individual "items" (hence the meaning of the English derivative).

"Item. Questioned as to in whose presence, he said, in the presence of these.

"Item. Questioned as to whether any of those related to him by blood
200B had in the past been | burned to ashes because of acts of sorcery or been considered suspect, he said . . . [140]

"Item. Questioned as to whether he maintained familiar relations with suspected sorcerers, he said . . .

"Item. Questioned about the manner in which and the reason why these statements were made, he said for this reason and in such-and-such way.

"Item. Questioned as to whether he thought that Such-and-Such said or did these things in jest or in mimicry or unwittingly or, on the other hand, assertively and wittingly, he said that he believes that he did the aforementioned things jokingly and jestingly or in mimicry and not in a spirit of holding such beliefs or assertively.

"Item. Questioned about the reason for this belief, he said that he believes this because the man who was making the statements did so laughing." A very careful investigation about these statements should be made, because sometimes people say the words of others in mimicry or in jesting or in the course of a discussion, so that they can draw others out or urge them on, though sometimes they do in fact do so as assertions or affirmations.

"Item. Questioned as to whether he is making a deposition about these matters through hatred or a grudge or is making any omission
200C through love or bias, | he said that . . . "

And so on.

It continues: "He was ordered to keep this secret.

"The transactions were conducted in Such-and-Such place on such-and-such day in the presence of the witnesses Such-and-Such, called and requested, and of my notary (scribe)."

Here it should always be noted that in such an examination at least five persons should be present: the inquisitorial judge, the respondent (the witness or the denouncer or the denounced person, who appears later), the third is the notary (or scribe when a notary is unavailable, in which case the scribe should avail himself of the services of another respectable man and the two of them will fill in for the notary, as was mentioned above,[141] by the Apostolic authority of which they make

[140] This question and the next are added to the source material from Eymeric.
[141] 195C.

use in that act, explained above on the topic of Chapter "*Ut Officium*" in *Liber Sexus*, "Heretics"), and two respectable men as witnesses to those giving depositions. It should likewise be noted that a summoned witness should also be under oath, that is, that he should give an oath in the manner mentioned above[142] about telling the truth. Otherwise, the notation "summoned and put under oath" would be false.

The other witnesses should be examined in exactly the same way. After their examination, if the judge sees that the deed has been fully proven, or if it is not fully proven, that there are very great indications and strong suspicions (note that what we are speaking of is not the light suspicion | that arises from light conjectures, but the fact that she[143] has 200D
a very bad reputation concerning the acts of sorcery committed against children, domestic animals and so on), then if the judge has fears about the flight of the denounced man or woman, he should have the person arrested. Whether or not he is arrested, the judge should first have his house searched unexpectedly and all the cabinets opened and the boxes in the corners and all the implements that are found removed.[144] After this has been arranged, the judge should compile all the matters about which the person has been accused and all those about which he has been convicted by witnesses, and then draw up a list of questions about these matters. Then he should conduct the inquisition, having the notary (and so on, as above) with him, after the denounced person has given a bodily oath on the four Gospels of God about telling the truth both about himself and about others (in the following manner). The details should be written down.

*List of general questions concerning a sorceress or sorcerer (Step One)*

"The denounced Such-and-Such from Such-and-Such place bodily touched the four Gospels of God and swore to tell the truth both about himself and about others, and then, questioned as to where he is from or where he originated from, he answered from Such-and-Such place | of the diocese Such-and-Such. 201A

"Item. Questioned as to who are his parents and whether they are living or dead, he answered, living in Such-and-Such place (or died in Such-and-Such place).

[142] 195D–196A.

[143] Here in an addition to Eymeric's original text, the adjectival agreement makes it clear that a woman is meant, but in this passage Eymeric's generalizing masculine is retained.

[144] For examining the dwelling, see 166A, 175A.

"Item. Questioned as to whether they died by a natural death or were burned to ashes, she[145] said that they died by such-and-such a death."[146] Note here that this is asked because, as was explained in Part Two[147] of the work, sorceresses generally offer their own babies to demons or instruct them, and commonly the whole progeny is tainted. In a situation where those giving depositions affirmed this and she denied it, she would now be suspect.

"Item. Questioned as to the place in which he was raised and, as is the case with many, lived, he said in Such-and-Such place or Such-and-Such." If the judge sees that he left his own area, not perhaps because his mother or anyone from his family was suspect, yet lived in a foreign area, especially in areas where sorceresses generally flourish, he will be asked as follows.

"Item. Questioned as to why he left the area of his birth and moved to stay in Such-and-Such place or places, he said for such-and-such reason.[148]

"Item. Questioned as to whether in these areas or elsewhere she heard talk on the subject of sorceresses," for example that storms were stirred
201B up or domestic animals | affected with sorcery or cows deprived of the liquid of milk and so on with reference to the content of the denunciation against her. If she says yes, she should be questioned as follows.

"Item. Questioned as to what she heard said," and the details that she says should be written down.

If she denies it and says she heard nothing, then as follows.

"Item. Questioned as to whether she believes that sorceresses exist and that such things as are reported can happen" – like stirring up storms, contaminating domestic animals and humans – "she said . . . "

[145] Eymeric conceived of the accused as a male (the "default" gender for generalizing statements in Latin) since he was writing about heretics in general. The gender of the introductory word "questioned" (*interrogatus*) makes this clear, but when questions that do not appear in Eymeric are added to the list, an abbreviated form of the word that leaves off the ending (and its indication of gender) is usually used (this sort of word would not normally be abbreviated in the published text of the *Malleus*). Thus, since Latin verbs do not indicate gender unless the subject is overtly stated or modified by some adjectival form, the Latin does not make it clear what the gender of the accused is conceived to be in these instances, but a few forms and comments later on in the questions indicate that a female is intended in the added questions and I have decided to assume that all questions beginning with the abbreviated form refer to women. This is as confusing in the Latin as it is in the English here, since such questions are intermingled with questions about males deriving from Eymeric.

[146] This question has been added to the material from Eymeric.

[147] Pt. II, Q. I, Ch. 13 (137B–141D).

[148] The point of this question in Eymeric is to determine if the suspect has intentionally moved to an area where heresy is flourishing. Here the questions makes no sense, since the sorceresses supposedly were able to attend the distant assemblies convened by Satan, either through invisible transport of their bodies or through a sort of mental telepathy (104A, 105A–B).

Note that for the most part sorceresses initially make a denial, and hence a greater suspicion arises than if they responded, "Whether they exist or not I leave to my betters."[149] Hence, if they say no, then they should be questioned as follows.

"Item. Questioned, 'What about when they are burned? Are they then condemned though they are innocent?' she said . . . "[150]

*List of specific questions concerning these same people*

THE JUDGE SHOULD TAKE care not to put off the following questions, but should set them out without delay.

"Item. Questioned as to why the common people feared her, she said . . .

"Item. Questioned as to whether she knew that she had a bad reputation and that she was hated, she said . . .

"Item. Questioned as to why she had cast in his face the words, 'You will not pass with impunity,' | she said . . . [151] 201C

"Item. Questioned as to what evil that person had done to her so that she uttered such words to his harm, she said . . . "

Note that this line of questioning is necessary in order to reach the foundation of the enmity, because in the end the denounced woman will allege enmity. But when the enmity is not mortal but merely the kind stirred up in the female fashion, it forms no hindrance, since it is characteristic of sorceresses to stir up such enmity against themselves either by pointless[152] words or by deeds. For instance, she asks to have something given to her as a present or inflicts some harm on the other woman in her garden and similar acts, for the purpose of gaining an opportunity.[153] They manifest themselves in word or work, being obliged to make this manifestation at the insistence of the demons, in order that in this way the sins of the judges will be aggravated when the sorceresses remain unpunished.[154] Note also that they do this in the absence of

[149] This assumption that those who deny the existence of sorcery must be sorceresses brings to mind the accused sorceress Scheuberin's rejection of Institoris's preaching (see Pt. II n. 433).

[150] Note how expressing doubts about the justice of previous burnings of sorceresses is taken as evidence that the doubter is a sorceress.

[151] This quote brings to mind the threat of the old sorceress to the rude parish priest (100A).

[152] The sense of this is not entirely clear. Perhaps what is meant is that at Satan's behest sorceresses intentionally make unreasonable ("pointless") requests in order to cause strife 210A–B, 232B). The expression here may well be a Latin version of the German *unnutze Worte* (literally, "needless" or "useless words"), which was used to describe speech considered to be impudent, coarse or spiteful.

[153] Compare the story (136A–D) of a woman whose neighbor supposedly walked carelessly across her garden in order to cause a legal case.

[154] Here is one of the "fixes" necessary to remedy the internal illogic of the construct of Satanism. If the purpose of the "cult" is to inflict unmotivated harm, then there should be no reason for

witnesses so that if a person giving a deposition wished to produce witnesses, he would not be able to. Note also that they are egged on by the demons, as we have learned from many sorceresses later burned to ashes, so that they have to cause trouble and inflict harm with sorcery against their own will.[155]

201D "Item. Questioned as to how the effect that the child or domestic animal was so quickly affected with sorcery could have followed after the threats, she said . . .

"Item. Questioned, 'And how is it that you said that she would never have a healthy day, and this is what happened?' she said . . .[156]

"Item. If she denies everything, she should be asked about other acts of sorcery that were inflicted on other witnesses, for instance in their domestic animals or children.

"Item. Questioned as to why she was seen in the fields or in the barn with the domestic animals, touching them in the way that sorceresses do, she said . . .

"Item. Questioned as to why it was that she touched the child, and later it was not well, she said . . .[157]

"Item. Questioned as to what she was doing in the fields at the time of the storm," and so on about many other events.

"Item. What caused the fact that while she had one cow or two, she had a larger supply of milk than the neighboring women with four or six?[158]

"Item. Why does she remain in a state of adultery or as a concubine?"

Although these questions have nothing to do with the issue, they nonetheless generate suspicion more than is the case with denounced women who are upright and respectable.[159]

the harm-doer to reveal herself. If that were the procedure, however, there would be no way to discover the perpetrator, and since there was often some pre-existing enmity between the accuser and accused that led to the accusation, this fact was seized upon as an indication of the existence of the supposed sorcery, a specious reason being concocted to explain this illogical proceeding, namely that the demons insist that the sorceresses reveal themselves in order to aggravate the sins of the irresponsible judges who let these supposedly obvious crimes go unpunished.

[155] For demons compelling the sorceresses to act malevolently against their will, see 99A.

[156] Compare the similar threat made by the jilted girlfriend against the new bride in 94A.

[157] Compare the anecdote about an abortion caused by mere touch in 114D.

[158] Such peasant envy is a long-standing custom. The law of the Twelve Tables (a Roman legal code of the fifth century BC) prohibited the use of magical incantations to take away the fertility of one's neighbors' fields and put it into one's own.

[159] The very practice of asking irrelevant questions about the sexual behavior of the accused sorceresses was one of the legal abuses that led to opposition to Institoris when he conducted his unsuccessful inquisition in Innsbruck in 1484.

Note that she should be questioned several times about the articles for which she was denounced to see whether or not she maintains her story.

After the confession is completed and transcribed, whether in negative or positive vein or ambiguously, it should state: "These transactions were conducted in Such-and-Such place" and so on (as above).

[Note on Sources
Major identified sources for Q. 6:
Eymeric, *Dir.* "Methods 1, 2, 3 of conducting and continuing the process in a case involving the faith" (*de modo prosequendi et continuandi processum in causa fidei*)]

## question seven, in which various doubts are explained about the previous lists of questions and negative answers, whether the denounced woman should be imprisoned, and when she should be considered to be manifestly caught in the heresy of sorceresses (step two) 202A

THE first question raised is what should be done if, as is generally the case, the denounced person denies everything. The response is that the judge has to consider whether or not three things – bad reputation, the indications of the deed, and the statements of the witnesses – all point in the same direction. If they do, this is generally the case because sorceresses are immediately branded with a bad reputation because of crimes in some village or city. Indications of the deed are obvious, for instance in the form of children affected by sorcery or domestic animals, which are quite often diseased or deprived of milk. The number of witnesses is also written down.[160] Although the witnesses are individual, one for instance making a deposition that she affected his son with sorcery, the second saying this of a domestic animal, the third mentioning bad reputation, and so on with other instances, they nonetheless agree on the essence of the deed, that is, | on the subject of 202B
acts of sorcery and the fact that the sorceress is suspect. These witnesses are not sufficient for condemnation in the absence of a bad reputation or even with it, as was discussed above in Question Three,[161] but with the addition of indications of the deed she could, on the basis of these

[160] Presumably this refers to Q. 2.
[161] 197C (in Q. 2).

three elements together, be considered to be not a strongly or violently suspected sorceress (about these suspicions there will be an explanation below),[162] but to be manifestly caught in the Heresy of Sorceresses, provided that suitable witnesses (ones not acting on the basis of enmity and sufficient in number, for instance six, eight or ten) coincide under oath. Consequently she would be subject to the penalties in Chapter "*Ad abolendam*" § "*Praesenti*" ("Heretics") and in the second Chapter "*Excommunicamus*" (whether she has confessed the crime or not).

These statements are proven as follows. When it was said that, in the situation where all of the three elements mentioned before coincide, she ought to be considered as manifestly caught in the Heresy of Sorceresses, it should not be understood that all three must coincide at the same time. This is proven by a fortiori arguments. If either the indication of the deed or the lawful production of witnesses can by itself result in someone
202C | being considered to be manifestly caught in heretical depravity, how much more is this the case when both proofs coincide together? When the jurists ask the number of methods by which someone is by law considered to be caught manifestly in heretical depravity, they answer "three," as Bernard notes in the Ordinary Gloss on the word "*Deprehensi*" ["caught"] in Chapter "*Ad abolendam*," § "*Praesenti*" (*Extra*, "Heretics"), and as was discussed above[163] in Question One in the beginning of the work. The first proof is the evidence of the deed, for instance that he preached heresy publicly. In this category we place the indication of the deed consisting of public threats that she made by saying, "You will never have healthy days" or the like, and the subsequent effect. Next (Bernard continues) comes the method consisting of lawful proof through witnesses, or, third, that of her own confession. Hence, if any of these proofs by itself makes and renders someone manifestly suspect, how much more is this the case when at the same time bad reputation and the indications of the deed are combined with the deposition of the witnesses? Though "evident deed" is mentioned there and "indication of the deed" here, the reason for this is that the Devil does not work manifestly but secretly, and the losses and the devices for sorcery that are found give an indication of the deed. Hence, while the evident deed alone would be sufficient in the other forms of heresy, here we combine three.[164]

[162] Q. 19 (221A–224D).
[163] 12A–B.
[164] This paragraph represents an attempt to subvert the normal standards for proof used in contemporary courts because the usual proofs were inapplicable to a crime that took place at

The second point (that although the person caught makes a denial, he should still be punished according to those chapters) is proven as follows. The person caught by the evidence of the deed or through witnesses either confesses or does not. If he confesses and is penitent, according to Chapter "*Ad abolendam*" (cited above) he should be handed over to the secular arm to be stricken with the ultimate penalty;[165] according to the second Chapter "*Excommunicamus*" he should be cast into life imprisonment.[166] If, on the other hand, he does not confess but maintains his denial, he should be handed over as an impenitent to the authority of the secular court to have the due penalty inflicted on him, as Hostiensis notes in *Summa*, "Heretics," Chapter "*Qualiter deprehendatur*." 202D

In this way, then, it is concluded that if the judge adopts such a procedure concerning the list of questions and the depositions of witnesses, since the proceedings in cases involving the Faith can, as has been stated, be summary, straightforward and informal, and if he remands the denounced woman to prison temporarily or for several years in case she will be worn down by the misery of prison and confess her crimes, his proceeding would be not unjust but just. Yet, to avoid the appearance of anticipating the sentence and to seem rather to be proceeding according to every form of fairness, the question is raised as to what should next be done.[167]

some distance from the infliction of harm on the victim and was normally incapable of being seen by any eyewitnesses (apart from the perpetrators). This seemingly insoluble problem is circumvented by equating "indications of the deed" (that is, circumstantial evidence) with the "evidence of the deed" (that is, direct proof) that would normally be needed for conviction.

[165] I.e., execution.

[166] This passage is a misrepresentation of what Eymeric correctly states about the legal situation. In Eymeric, the topic is whether an inquisitor can release under surety someone who has been "caught" in heresy and arrested for this. The answer Eymeric gives is no: "For he is either caught by his own confession or he is not. If he is and is impenitent, he should be handed over to the secular court to be stricken with the ultimate penalty according to Chapter '*Ad abolendam*' § '*Praesenti*'; if he is penitent, he is to be cast into life imprisonment according to the second Chapter '*Excommunicamus*.'" Here, in the case of the accused who has confessed, the if-clause that goes with the result consisting of execution is changed to state that he is penitent instead of impenitent, and the removal of the if-clause that introduces the punishment of life imprisonment changes the meaning to indicate that in the case of penitence, two decretals provide for different punishments, one execution, the other life imprisonment. Since the legal situation is correctly reported in 207B and 224B–C, the garbling here, which involves more than simply leaving out a clause, is presumably inadvertent.

[167] Note that at this point the accused is considered guilty and worthy of execution, and the rest of the preceding consists of nothing but a lot of legal mummery to give the *appearance* of fairness.

[Note on Sources
Major identified sources for Q. 7:
Eymeric, *Dir.* 3.72, 89, 90]

203A

## question eight (which is related to the preceding one): whether she should be imprisoned and the method of arrest (and the judge's third step)

As to whether in a situation of negative responses the sorceress should be placed in prison for detention when the three elements already mentioned (bad reputation, indications of the deed and the production of witnesses) coincide, or she should be released under the guarantee of sureties that she will respond when summoned back, an answer can be given on the basis of three views.

First, there is the pronouncement of some that she should be put in prison and should by no means be released under a guarantee. In this they rely on the reasoning mentioned in the preceding question,[168] namely, that she is considered to be manifestly caught when those three elements coincide.

Others feel that before imprisonment she can be released under the guarantee of sureties, so that if she takes flight, she is then considered convicted. She should not, however, be released under a guarantee or pledge after imprisonment in a situation of negative responses, that is, when the three elements mentioned above coincide, because in that case
203B she could be sentenced and executed. | In this they rely on custom.

The third group consists of those who think that no inflexible rule should be given, and that it should rather be left to the judge to decide according to the statements of the witnesses and the bad reputation of the person – all the more severely if the indications coincide – acting on the basis of local procedure and upholding custom. They conclude that if she could not get noteworthy sureties, perhaps being suspected of wishing to flee, then she should be put in prison.

This third pronouncement seems the more reasonable one, provided that the appropriate procedure consisting of three elements is maintained. First, her house should, as far as possible, be searched underneath and above, in all corners, holes and cupboards. If she is in fact a sorceress, then without a doubt various devices for sorcery will be found

[168] 202B–C.

in the way discussed above,[169] unless they were previously concealed by her. Second, if she has a maid or companions, they should be locked up separately, even if they are not denounced. It is presumed that they are not unaware of certain secrets of the denounced woman. Third, if at the time of arrest she is not arrested in her own house, she should be given no time to enter her room, because in that case they get certain devices for sorcery | and take them with them to cause silence.[170] 203C

Mention of this silence raises a doubt as to the lawfulness of the method that certain men follow in arresting sorceresses. In this method, she is raised off the ground by the judge's staff and carried in a basket or on their shoulders to prevent her from touching the ground.[171] It can be responded on the basis of the pronouncement of the canonists and certain theologians that this is lawful in consideration of three things. First, as was explained in the introductory question of the present Part Three,[172] it is the opinion of very many Doctors – of those Doctors, in fact, whose statements no one dares to censure, like Hostiensis and Gofridus – that it is lawful to smash vanities with vanities. Also experience, and indeed the confessions of sorceresses, show that quite often they have lost the sorcery of silence through such a method of arrest. How many of those who were to be burned to ashes have asked to be allowed to touch the ground with just one foot! When this was denied to them and at the end they were asked why ever they had wished to touch the ground, they answered that if they had done so, they would have freed themselves, killing many people with bolts of lightning.

Another reason is that it is manifest, as was explained in Part Two[173] of the work, | that in public justice all the strength in sorcery is bro- 203D
ken in respect to the past, but as for the future, unless she is succoured anew by the Devil in the sorcery of silence, she confesses all her crimes. Let us therefore say with the Apostle: "Whatever we do in word or work, let it all be done in the name of our Lord, Jesus Christ" [Coll. 3:17]. If she is in fact innocent, this kind of arrest will do her no harm.

[169] 200D.
[170] That is the sorcery of silence (210C).
[171] The letter from the burgermasters and city council of Ravensburg directly attests that the inquisitor who visited them (almost certainly Institoris) directed that when suspects were being arrested, they should be raised off the ground and not allowed to touch it.
[172] Actually, the relevant discussion (153A–154B) is in the introductory question of Pt. II, Q. 2. This reference seems to derive from an earlier draft of the work in which Pt. II, Q. 2 formed part of Pt. III.
[173] 87A–C.

The third consideration is that if, according to the Doctors, it is lawful to break acts of sorcery through vain works – they all agree on this point, although they disagree about whether such vanities should not be unlawful, and hence Hostiensis's statement that it is lawful to smash vanities with vanities is glossed by other people: "Note that he says 'with vanities' but not 'with unlawful means'" – a fortiori it is lawful to impede acts of sorcery, and in this situation it is such an impediment and not the practice of some illegal act that is being taken into consideration.

In addition, the judge notes that there are two kinds of imprisonment. One is penal, when criminals are put in it. The other is merely for detention, and this one is implemented in the city hall. (These two
204A kinds of imprisonment are mentioned in Chapter "*Multorum querela*" | (cited above). Hence, she should be imprisoned at least for detention.)

If the acts for which she is accused are trivial, so that she does not have a bad reputation and there are no indications of a deed concerning children or domestic animals, then she should be sent back home. In the situation where she happens to have familiarity with sorceresses and knows their secrets, she should give sureties, and if she cannot get any, she should not leave home unless summoned, being bound by oaths and attendant penalties.

The servants and friends mentioned above[174] should be imprisoned for detention and not for punishment.

## QUESTION NINE: WHAT SHOULD BE DONE AFTER THE ARREST, AND WHETHER THE NAMES OF THOSE GIVING DEPOSITIONS SHOULD BE MADE KNOWN TO HER (STEP FOUR)

TWO THINGS ARE DONE after the arrest (which of them first is left up to the judge): the granting of arguments in defense and examination in the torture chamber (without the use of torture). The first is not granted unless she seeks it. The second is done only after the maids and associates, if she has any at home, are examined. Let us proceed in the order given here.

If the accused woman says that she is innocent, that she has been falsely
204B denounced, and that she would gladly | look at and hear her accusers, this is a sign that she is seeking arguments for defense. As to whether the judge is bound to make known to her those making depositions and to

[174] 203B.

bring them into her presence, at this point the judge should note that he is obligated to do neither of these things, that is, make the names known or bring them into her presence, unless those giving depositions themselves voluntarily offer to do this, that is, be brought into their presence and to cast into the faces of the sorceresses the things about which they have given depositions.

That the judge is not obliged to do this (because of the danger to those giving depositions) is proven as follows. Although various Supreme Pontiffs have given different pronouncements, none has ever given the pronouncement that a judge was obligated in such a case to make known to the accused the names of those giving depositions or of the accusers (though we are not using the proceeding by accusation). Rather, some held the opinion that this was not lawful in any situation, others that it was in some. Finally, Boniface VIII ordained, as is explained in chapter "*Statuta*" § "*Inhibemus*[175] (*Liber Sextus*): "We forbid the bishop and inquisitor" (note in place of the inquisitor and bishop any judge undertaking proceedings against | sorceresses by consent of the bishop 204C
or inquisitor, because the meaning is the same and the bishops and inquisitors can delegate their roles, as was explained in the introductory question,[176] and hence any such judge, even a secular one, carries out the proceedings under Apostolic and not merely Imperial authority) "to make the names of these people public if they see that accusers or witnesses who participate or give depositions in cases of heresy are endangered if it happens that their names are made public." Below it continues, "But when the aforementioned danger ceases, the names of the accusers or witnesses should be made public as is done in other courts."

A circumspect judge should also make note of the power of the persons, which consists of three kinds: power of birth and family, power of money, and power of evil. The last of these is to be feared more than the other two, because it can endanger the witnesses more seriously if their names are made known to those against whom the witnesses have given depositions. The reason is that it is a greater danger to make their names known to some denounced poor person who has as accomplices in his evil acts rebels and murderers, who have nothing to lose but their lives, than it is to make them known to a well born person or a rich one abounding in temporal goods.[177]

[175] This word appears as *iubemus* in the official text of the canon.
[176] 184B–193D.
[177] This naive exhibition of class prejudice derives from Eymeric.

What "serious danger" is and what constitutes it is explained by John Andreae on the word "*periculum*" ["danger"] mentioned above.
204D He says, "'Danger': | the fear of the death or maiming of themselves or their children or parents or the devastation of their property or the like."

The judge should also note that his proceedings in these matters have Apostolic authority based on the decision of the bishop, because both the judge himself and also all the assessors who attended the depositions of the witnesses or will possibly later attend the passing of sentence are obliged not to reveal the secrecy of the names of those giving testimony under penalty of excommunication; if they do otherwise the bishop will be able to fulminate[178] against them. (He fulminated to this effect at least implicitly from the beginning of the proceedings.) Then, in the cited Chapter "*Statuta*" § "*Et ut eorundem*" it says the following. "In order to obviate more effectively the dangers to these accusers and witnesses and to make the proceedings in the business of the inquisition more cautious, by the authority of the present decree We allow the bishop and inquisitors" (understand as above) "to impose secrecy upon those to whom, as has already been stated, they will explain proceedings
205A of this kind, | and, if without their permission any people reveal to others the secrets of the council or the protocol revealed to them by this bishop or inquisitors, to promulgate, if they see fit, the sentence of excommunication that these people have ipso facto incurred by violating the secret."

It should be further noted that just as there is an attendant penalty in a situation where the names of the witnesses are improperly revealed, there is an attendant penalty in a situation where they are improperly concealed. This is when the names are concealed from those to whom they should be revealed, namely the legal experts and assessors on whose advice sentence should be proceeded with, or when they do not make the names known in a situation where they do not reveal the names when they could be revealed without danger to the witnesses, as in the cited Chapter "*Statuta*." There it continues at the end: "In any case, in all regards We order that both the bishops and inquisitors should earnestly and carefully make sure not to say that the situation is dangerous when it is safe in order to suppress the names of the witnesses, or claim safety in

[178] "Fulmination" is a technical term for the forceful expression of an ecclesiastic threat.

a situation of risk to them, and We burden their consciences with this." Here the Archdeacon says the following. "As for you who are serving as a judge in such a case, pay close attention to these words. | He does not 205B mean 'small danger' if he says 'serious.' Do not, therefore, deprive the accused of the procedure of the law without a significant justification, since this cannot be done without offending God."

The reader should note that because all the foregoing and also what follows down to the methods of sentencing without the penalty of blood, in which an ecclesiastical judge may pass judgment,[179] can be done by a secular judge with the consent of the diocesans, the reader should not find it problematical if in the chapter it is an ecclesiastical and not a secular judge who is mentioned. The secular judge will base his methods of passing sentence of blood on the ordinaries' methods of sentencing and imposing penance.

[Note on Sources
Major identified sources for Q. 9:
Eymeric, *Dir.* 3.75, 76, 81]

## question ten: how lines of defense are to be granted along with the assignment of an advocate (step five)

IF, then, she seeks lines of defense, how can this be granted when the names of the witnesses are altogether concealed? It should be said that the defense consists of three elements. The first is the assignment of an advocate to her.[180] The second is not making the names of the witnesses known to that advocate, not even under an oath to maintain the secret, | though he should be informed of the specifics contained in the 205C protocol.[181] The third is putting the better interpretation, as far as possible, on the case of the denounced person, though without scandalizing the Faith or harming justice, as will be explained.[182] The same applies to the legal representative, to whom a copy of the entire protocol is given,

[179] The phrase "down to . . . judgment" is not expressed very clearly. The sense is explained in 193C (also see 251B), and what is meant is that the ecclesiastical judge may not pass a sentence of execution but should be involved in the "sentences to penance."
[180] Only this topic is discussed in the present chapter.
[181] This topic is discussed in the next chapter.
[182] Seemingly there is no subsequent discussion of this topic.

though with the names of the witnesses and of those giving depositions suppressed. The advocate will also be able to conduct proceedings as a legal representative.

As for the first point, it is noted that an advocate is not assigned according to the pleasure of the denounced person, for instance because he was inclined to have one particular person. What judges should make every provision against is granting a litigious, evil-spirited person, who could easily be corrupted by money, as such people are often found to be. Rather, he should grant to the accused an upright person who is not suspected of being fussy about legal niceties.

The judge should note four practices in an advocate.[183] If these are followed by an advocate, the judge should allow his advocacy; otherwise, he has to reject the advocate. The advocate should first examine the character of the case, and if it seems just to him, he should take it on if he wishes to. If, on the other hand, he thinks it unjust, he should refuse it. Hence, he should be very careful not to take on a case that is unjust
205D and hopeless. It is true that if| unwittingly in the beginning he accepted the case as well as a fee but in the proceedings realized that the case was hopeless, then if he did not consult his little client, that is, the person denounced, about his withdrawal, he is obligated to return the retainer he received, according to Geoffrey, who thinks he proves this with "*Rem non nova*" in Chapter of the *Code* "Trials" [*Code of Justinian* 3.1.14]. Hostiensis [*Summa* 1.40.5], on the other hand, says the opposite, that the retainer should be returned only if he did this on purpose. Hence, if a wicked advocate knowingly urges upon his little client the defense of an unjust case, he is liable for the losses and expenses, (Chapter of the *Code* "Management by Guardians," "*Non est ignotum*" [*Code of Justinian* 5.37.6]).[184]

The second practice that he ought to follow is to maintain three procedures in his advocacy. The first is restraint, so that he does not hold forth insolently or insultingly or clamorously (same Chapter of the *Code*, "*Quoniam*").[185] The second procedure is truthfulness, that is, he should not lie by dragging in false arguments and proofs or false

[183] Apparently these four consist of the topic of the present paragraph plus the threefold division of the topic of the next one.

[184] The law in question actually penalizes guardians for taking advantage of their right to lodge suits in the names of their wards in order to lodge false claims for their own benefit, a circumstance of no relevance to the issue at hand.

[185] There is no such law in that title, but suitable provisions are laid out in *Code of Justinian* 2.6.6 ("*Quisquis*").

witnesses or rights (if he is a legal expert). He should also not seek delays, especially in connection with such a case, where the proceedings are summary, straightforward and informal, as was discussed above[186] in Question Six and is stated in 3, Q. 7, "*Haec tria*." The third procedure concerns | the retainer, which he should keep reasonable according to 206A
the custom of the region (this topic is treated in 3, Q. 7, § "*Arcentur*" and § "*Tria*" [*Decretum* 2.3.7.1, § 8 of quotation of *Digest*, § 1 of commentary].

Back to the matter at hand. The judge should explain the conditions described above and should at the end enjoin him not to incur the charge of abetting heresy, because in that case he would be excommunicate according to the first Chapter "*Excommunicamus*" § "*Credentes*."

It is not valid if he says to the judge that he is defending not the error but the person, because he ought not to present a defense in any way at all that prevents the proceedings from being summary, straightforward and informal, which he would do if he wanted in any way to ask for delays or to interpose appeals (which are all rejected, as is recounted there[187] in Question Six). Although he is not defending the error, since in that case he would be more damnable than the sorceresses themselves and a heresiarch rather than a heretical sorcerer, as is explained in 24, Q. 3, "*Qui illorum*," nonetheless, by improperly defending someone suspected of heresy, he makes himself similar to an abettor of heresy, being not merely lightly but seriously suspected because of the defense that he has mounted, and he ought to make a public abjuration before the bishop according to the frequently cited Chapter "*Accusatur*."

These points have been set down at length – and | the judge should not 206B
underestimate their importance – because very many dangers arise from an advocate (legal representative) who strives to conduct the proceeding falsely. Hence, when the advocate is worthy of censure, the judge should by all means reject him and proceed according to what has been proven in the transactions. Nonetheless, if the judge has an irreproachable advocate for the denounced person, that is, a zealous man who loves justice, he will be able to indicate the names of the witnesses to him, but under an oath to keep the secret.[188]

[186] 199B–C.
[187] 199C.
[188] What this all means is that the accused should only be allowed an "advocate" who will not in fact obstruct the swift progress of the proceedings in the manner in which the presiding magistrate

## QUESTION ELEVEN: WHAT THE ADVOCATE WILL DO WHEN THE NAMES OF THE WITNESSES ARE NOT REVEALED TO HIM (STEP SIX)

IF IT IS ASKED what the advocate will then do for the denounced person in his capacity as legal representative when the names of the witnesses are revealed neither to him nor to his client (what the denounced person hankers after most is for them to be revealed), the response is that he should receive information from the judge about the specifics contained in the protocol. If he does wish to have a copy, it should be handed over to him, with the names of the witnesses suppressed. Being informed in this way, he should approach the denounced person and set out the
206C specifics to him. If the content so dictates, that is, because it is quite | prejudicial to the denounced person, then the advocate should urge him to endure.[189] When the denounced person again and again insists that the witnesses should be made known to him, he[190] can answer, "From the deeds denounced against you, you will be able to conjecture who the witnesses are. For Such-and-Such had a son (or domestic animal) affected by sorcery." Or "You said to Such-and-Such man (or woman), because the person was unwilling to provide you with such-and-such a thing that you were asking for, 'You will realize that it would have been better for you to have lent the thing to me.' After these words, Such-and-Such suddenly fell ill. Your deeds shout out as testimony, and this testimony is given more weight than is the testimony of words."[191] Or "Even you know that you have a bad reputation and have for a long time been suspected of many acts of sorcery and of losses inflicted on humans." By repeating words of this kind the judge will finally reach the point where she will either allege enmities, claiming that the reproaches cast at her derive from enmity, or say, "I admit that I said these words, but with no intention of causing harm."

At this point the advocate has to set out for the judge and assessors the first point, namely enmity, and the judge has to investigate it. If

thinks they should be proceeding. Presumably, this protracted elaboration on Eymeric derives from Institoris's unhappy experience in Innsbruck, where Johann Merwait the advocate for the accused, obstructed the inquisition through the outrageous demand that the proceedings adhere to legal procedure.

[189] Apparently the zealous advocate's role is to thwart the client, whom he thinks guilty; for this endurance, cf. 240B.

[190] I.e., the judge.

[191] Note how the conclusion from the supposed evidence outweighs any subsequent explanation on the part of the accused.

in fact the enmity is found to be mortal, that is, that death had been intended or had resulted among spouses or blood relations, or that someone was implicated in a crime for which that person would be liable to punishment|by public justice, or that there were serious wounds 206D
inflicted as a result of disputes or quarrels, then the foresightful judge will discuss with his assessors whether the worsening of the enmity was on the part of the woman denounced or the person giving the deposition. An example would be that her husband or friends unjustly prevailed over people associated with the person giving the deposition. In that case, if there are no indications of the deed in terms of children or domestic animals or if there are no other witnesses or because general rumor is not worked up, then it is presumed that the deposition was made against her for the sake of vengeance, and the woman denounced should by all means be absolved and granted her freedom, with due warning about not seeking vengeance and so on, as is the custom of judges.

The following question is raised. Katherine has a son affected by sorcery or is herself affected by it or has received very many losses in terms of domestic animals, and she suspects the woman whose husband or blood relations previously prevailed over her husband or blood relation unjustly in a public court. Hence, there are two kinds of enmity on the part of the woman giving the deposition, in that she is an enemy on account of the sorcery that has been inflicted[192] and on account of the infamy unjustly cast upon her husband or blood relation. Is her deposition to be debarred or not? In fact,|it seems on the one hand that 207A
it should be, since there is enmity in this situation, and on the other that it should not be, since she offers indications of the deed.[193] The response is that in a situation where no one else is present to give depositions and the general rumor is not worked up about the denounced woman either, then her deposition alone is not relied upon and instead is debarred. Yet, the denounced woman is rendered suspect if and to the extent that the disease was caused by sorcery and not natural defect (how this can be determined will be explained below),[194] so that she is to be purged in the manner prescribed by the Canon.

[192] It is taken for granted that the person accused by Katherine did in fact commit sorcery, but that of course is precisely the issue in question.

[193] But the offering of circumstantial evidence has nothing to do with whether the testimony should be debarred on the grounds of bias. In any case, this "evidence" is merely the fact that the deponent has suffered some sort of misfortune, which has nothing to do with the question of whether it was the accused who committed it.

[194] 207D–208A.

If a further question is raised as to whether others have to give depositions first about the things that happened to them or to others or only about bad reputation, the response is that if they give depositions about certain indications of the deed, fine, but if they do so only about bad reputation and such is in reality the case, then although the judge debars the person giving a deposition because of enmity, he will nonetheless, on the basis of the other witnesses who[195] gave depositions about the bad reputation, take as a sign of strong suspicion the indication of the deed that she mentioned and proved. On the basis of this suspicion, the judge will be able to pass judgment on the denounced woman in detention with reference to three sorts of punishment: canonical purgation because
207B of bad reputation according to Chapter "*Inter* | *sollicitudines*" (*Extra*, "Canonical Purgation"), abjuration because of suspicion according to the beginning of Chapter "*Accusatus*," and various kinds of abjuration associated with various suspicions, as will be explained on the topic of Method Four[196] of passing sentence.

If he[197] confesses the crime and repents, because of the indications of the deed he is not left to the secular arm for the punishment of blood, but he is sentenced to life imprisonment by an ecclesiastical judge. Nonetheless, despite the fact that he has been sentenced to life imprisonment, the secular judge can consign him to the flames because of the temporal losses according to Chapter "*Ad abolendam*" § "*Praesenti*" and the second Chapter "*Excommunicamus*" ("Heretics"). (All these matters will be explained below in the part on Method Six[198] of passing sentence.)

In summation. The judge should first take care not to be ready to believe the advocate in a situation where the denounced woman alleges mortal enmity, because it is very seldom the case with such a charge that someone makes a deposition without enmity, since sorceresses are always considered loathsome by everyone.[199]

Second, he should note that there are four[200] methods by which a sorceress can be convicted: by witnesses, by the evidence of the deed,

[195] The form of the relative pronoun indicates that these witnesses are conceived of as female.
[196] Q.23 (228A–230A).
[197] Adjectival agreement in the Latin shows that the author has reverted to the generalizing masculine, presumably because the canon law cited discusses heretics in general and not sorceresses in particular.
[198] Q. 25 (232A–234C).
[199] The reasoning is, of course, circular: someone is reputed by her enemies to be a sorceress and therefore the evident enmity that ought to debar their testimony is ignored because she has a reputation as a sorceress.
[200] In 210A only three methods are mentioned, because in that passage the evidence of the deed and the indications of the deed are considered alternatives.

by the indications | of the deed, and by her own confession, either in 207C
a situation merely involving bad reputation, so that it would happen merely through witnesses, or in a situation of suspicion, and in that case it happens through the evidence of the deed or indications of the deed, on the basis of which the suspicion can be judged to be light or strong or violent. All these factors are separate from her own confession, and if they coincide, then the proceedings would follow the method mentioned.

Third, he should apply the foregoing to his intention regarding the person under detention in order to thwart the advocate, but this should happen only in the case of a denounced woman of bad reputation or when certain indications coincide in the case and hence she is rendered strongly or lightly suspect. In this case, he will be able to respond to the advocate with reference to the alleged enmity.

These statements apply to the situation where the advocate for the denounced person has alleged enmity on the part of those giving depositions. In the situation where he makes the second allegation, that is, when, with reference to the words that she uttered against the one giving the deposition ("You will soon realize what is going to happen to you," or "You will have no more healthy days," or "It will soon happen that you will wish you had lent (or sold) such-and-such thing to me," and the like), the advocate retorts that although some evil then ensued | to the 207D
detriment of the person giving the deposition in terms of possessions or bodies, it does not follow that this denounced woman was the cause of this evil as a sorceress, because illnesses can happen in many ways, and he also pleads that it is a common trait of women to recriminate against each other with words of this sort, and so on, the judge can thwart such claims in the following way. If the illness did in fact happen as the result of a natural defect, then the excuse could be relevant, but the signs and the *experimenta* lead to a general agreement to the contrary, because the victim could not be healed with any natural remedy. Or maybe it was the judgment of the physicians that the disease was one of sorcery (called "*Nachtschaden*" ["nocturnal harm"] in the vernacular). Or such was the judgment of other enchantresses[201] who assert (or asserted) that it was a disease caused by sorcery. Or it came on suddenly without any prior

[201] In the *Nuremberg Handbook* the term "enchantress" (*incantatrix*) is used to describe those practitioners of magic who are not included in the Heresy of Sorceresses and who, while they are worthy of punishment, are not subject to the savage penalties of heretical sorcery. The corresponding German text does not give a translation of the term, but does refer to the action of such people as *Zauberei* ("magic"), and the following chapter refers to the people intended here as *Zauberer* ("magicians").

weakening, despite the fact that natural illnesses regularly cause progressive debilitation. Or maybe she was healed by finding certain devices for sorcery under her bed or clothing or other places, and when these were removed, she was suddenly restored to health, which is very often
208A the case, as was explained in | Part Two[202] of the work, where remedies were discussed. By these and similar arguments the judge can very easily make the counter argument that such an illness happened as a result of sorcery rather than a natural defect. He can also suspect sorcery because of the threats she hurled. For instance, by analogous reasoning, if someone says, "I hope your granary burns down," and this effect ensues, this clearly raises the violent suspicion that the person who uttered the threat set the fire, although perhaps it was someone else who burned it down and not the person who uttered the threats.

## QUESTION TWELVE FOLLOWS ON THE SAME TOPIC, FURTHER EXPLAINING HOW MORTAL ENMITY IS TO BE INVESTIGATED (STEP SEVEN)

IT BEING NOTED THAT, while only mortal enemies are debarred from bearing witness, as was discussed above in Question Five, it perhaps seems to a judge to be too murky or difficult a matter to determine such enmity on the basis of the discussions in the preceding chapter, and that the accused person or his legal representative would not be willing to
208B acquiesce | readily in his determination about this topic, that is, what is or is not mortal enmity, other methods should be described by which a judge comes to know of such enmity, so that he will by no means condemn an innocent person in this way, but will punish the guilty with due justice. These methods may be crafty or even deceitful, but the judge can nonetheless follow them for the sake of the Faith and of the common good, since even the Apostle says, "Being cunning, I caught them by deceit" [2 Cor. 12:16]. In particular, these are methods followed in the case of those denounced people who have a bad reputation or those who do not even have the finger pointed at them by some indication of the deed, although the judge may follow them concerning any denounced people when they allege enmity against those giving depositions and want to learn the names of the witnesses by any means.

The first method is that the person denounced or his advocate is given a copy of the protocol on one side, that is, separately, and the names

[202] See esp. 175A (the notion is mentioned several times).

of those giving depositions or making denunciations on the other, but not in the order in which they give the depositions. Instead, they are listed in such a way that the name of the witness who is first in the copy is sixth or seventh in the list and the second in the copy is next to last or | last. Hence, the denounced person will not to be able to recognize 208C who gives this or that deposition and who is the first or second in his copy. Given this, he will either claim them all as enemies or not. If all, the denounced person will all the more quickly be censured for lying when the reason for the enmity is examined by the judge. If he claims certain ones as enemies, then the reason for the enmity will be more easily investigated.

The second method would be analogous. Here, the advocate would be given a copy of the protocol on one side and the names of those giving depositions on the other, with the addition of extraneous crimes that were committed by sorceresses elsewhere and were not mentioned in the depositions of those who are written down as the givers of the depositions (witnesses). In this way, the denounced person will not be able to state as a fact that this or that one is a mortal enemy, because he will not know what depositions were given by them against him.

The third method was also treated in Chapter Five.[203] When the denounced person is examined at the end of the second examination, before he asks for arguments in defense and before an advocate is assigned to him, he should be questioned as to whether he considers that he has mortal enemies who would disregard all fear of God and falsely foist upon him the stain of the Heresy of Sorceresses. In that case, through lack of premeditation and foresight and without | seeing the attestations of those 208D giving depositions, he perhaps responds that he does not consider that he has such enemies. Or if he says, "I think that I do," and then names them, they should be written down along with the reason for the enmity, so that the judge may later on conduct an investigation that is all the more certain when the copy of the protocol and the names are handed over separately in the manner treated above.[204]

There is also a fourth method. This is that for a second time at the end of the second examination (confession) (which is treated in Question

[203] 198D–199A.

[204] Since this is clearly the favored method, the comment on it made by Eymeric is salutary (450 1A): "This method is crafty since the denounced person gives his response without forethought at a time when lines of defense have not been given and the depositions of the witnesses have not been shown, (though the method is not dangerous for those giving depositions). Hence, it does not seem that it should be advocated much, being harmful to the denounced person."

Six[205] on the topic of the second list of questions), before the lines for defense are given to him, he is questioned about the witnesses who have given more serious depositions against him in the following manner. "Do you know Such-and-Such?" (one of the witnesses who made a deposition about more serious charges is named). To this he says either yes or no. If he says no, then later on, when the lines for defense and the advocate are given to him, he will not be able to set down that person as a mortal enemy, since he said that he did not know him. If, on the other hand, he says yes, then he should be questioned as to whether he knows or has heard that he (or she) did something contrary to the Faith
209A in the way that sorceresses do. If he says, "Yes, | he did such-and-such and such-and-such," he is questioned as to whether this person is his friend or enemy. He will immediately say friend (in order that his testimony should be relied upon), and in that case from then on he cannot give this person as a mortal enemy through his advocate, since under oath he previously called him a friend. If he answers that he knows nothing[206] about the person, then he is questioned as to whether he is his friend or enemy, and he will immediately answer friend, because it is pointless to claim as an enemy someone about whom he knows nothing bad.[207] Hence, he will say, "I am his friend. Yet, if I knew anything, I would not fail to reveal it."[208] In this case, then, he will not be able to set him down later on as an enemy. At any rate, if he cites reasons for the mortal enmity from the start, the advocate can be trusted.

The fifth method is that the denounced person or the advocate is given a copy of the protocol with the names of those giving depositions suppressed, and when the advocate informs him of the specifics, he conjectures which person or persons made such-and-such depositions against him. He frequently figures the matter out, and then if
209B he says, "Such-and-Such is a mortal enemy, and I wish | to give proof through witnesses," the judge has to consider whether he named him in

[205] Presumably, 201B–D.

[206] I.e., nothing about heretical statements made by the other person.

[207] The last clause has been added to Eymeric and is illogical. The mere fact that the suspect has not heard the deponent make heretical statements is irrelevant to the issue of whether that person is an enemy of the suspect.

[208] This sentence is a misunderstanding of the source material in Eymeric. There, if the suspect admits to knowing the deponent but claims not to have heard him make any heretical statements, he is then asked if the deponent is his friend. If he says yes, "it nonetheless is not relied upon, since if he [i.e., the suspect] knew anything, why would he say it?" The point is that the suspected heretic's claims about the deponent are disregarded, since he would not implicate his friend. Here, Eymeric's rhetorical question about the suspect's reliability has been incorrectly attributed to the suspect (and the sense of the question misconstrued).

accordance with the protocol. In that case, because the denounced person said that he wished to give proof through witnesses, the judge will examine them and the reasons for the enmity, secretly convening for this purpose a panel of experts or of old men, since wisdom resides in them. If in this way he finds sufficient reasons for mortal enmity, then he should first debar the witnesses, and the denounced person will be released if there are no other aggravating statements made by other witnesses. This fifth method is quite commonly practiced.

Sorceresses do in fact quickly gather from the copy of the protocol which men or women gave depositions against her. Because it very seldom happens that in a case of this kind some mortal enmity is found apart from the one that arises from their evil works, the judge can easily resolve his uncertainty by means of the previous methods. It should also be noted that those giving depositions quite often desire to show themselves to the sorceresses in person and to cast into their faces the harmful things inflicted on them through acts of sorcery.

There is also a final method to which the judge can in the end resort in case some people happen to judge the previous methods to be deceitful practices of cunning (especially the first four). | Therefore, to satisfy and 209C
calm scrupulous minds and to prevent any reproach from being cast at the judge, he should note that after he has learned through the preceding methods that there is no mortal enmity between the denounced person and the one giving the deposition, but wishes to reach this conclusion with a council of some assessors for the purpose of avoiding having any reproaches cast at him, he should do the following.[209] He should give the denounced person or his advocate a copy of the protocol, though with the names of those giving depositions and making denunciations suppressed. Because the denounced person says in his defense that he has mortal enemies and perhaps claims various reasons for the enmities, whether or not they do in fact exist, the judge should nonetheless convene a council of legal experts of any faculty,[210] if he can get them conveniently, or at least of any foresightful and respectable persons, because he is obligated to do so according to the frequently cited Chapter "*Statuta*," and have the notary (scribe) read to them the whole protocol in a complete and

[209] All this talk about anticipating possible objections has been added here to Eymeric, who sets this sixth method on an equal footing with the others and says nothing about it being used only as a pretense after the truth has already been determined through one of the previous methods.

[210] The regular four faculties of medieval universities were those of medicine, law, arts and theology. The apparent openness of the provision here is a change from Eymeric, who specifies theologians or legal experts. The canon cited in both texts actually specifies that the council should consist of "foresightful and respectable men who are legal experts."

unmodified form. First, he openly sets out the names of the witnesses or of those giving depositions, provided that he binds them all by the oath
209D they have given to keep the secret. | (He first has to inquire whether they are willing to do so, because otherwise the names should by no means be set out to them.) Next, he should say how through such-and-such and such-and-such method he inquired into the enmity but could find none. But he should add that if they agree, one of two things should be done. One option is for the council to reach a decision as to who among those giving depositions should be debarred as mortal enemies and how.[211] The other option is that three, four or five men should be chosen who have a greater knowledge of the friendship and enmity of the denounced person and the witnesses in the village or town and who are not present.[212] To them only the names of the denounced person and the witnesses should be revealed and not the articles of the protocol, and their judgment will be relied upon.

On the basis of the first method, they[213] could not very well debar the witnesses since it will have been noted that the judge has followed his own methods of investigation. On the basis of the second method, the judge will relieve himself of all responsibility and will dispel every untoward suspicion about himself. He is in fact obliged to follow this last method in a situation where the denounced person was arrested in a foreign place or land.[214]

Let this discussion suffice for the decision about enmity.

[Note on Sources

Major identified sources for Q. 12:

Eymeric, *Dir.* Pt. 3 "Methods 1–6 of handing over to the person accused of heresy a copy of the protocol with the names of the witnesses suppressed" (*modus tradendi copiam processus delato de heresi suppressis deponentium nominibus*)]

[211] Eymeric specifies that the members of the council are to decide the question of enmity themselves only if they are fully familiar with both the denounced person and the witnesses.

[212] Eymeric states that if the board members are not fully familiar with the denounced person and witnesses, then they are to choose people from the former's village: one or two parish priests, someone under monastic vow if possible, and a respectable layman who is a zealot for the truth. Could the frequent complaint made in the text that ill-informed priests were undermining the inquisition into sorcery by denying the reality of sorcery be the cause of the omission of Eymeric's specification?

[213] I.e., the assessors.

[214] The Latin *patria* is probably a translation of the German *Land*, which signifies one of the broad regions of Germany (e.g, the Rhineland, Thuringia or Saxony) that often formed part of an individual's self-identity, despite the fact that these regions were often politically divided.

## QUESTION FOURTEEN, CONCERNING THE THINGS THAT THE JUDGE HAS TO CONSIDER BEFORE SETTING OUT THE LIST OF QUESTIONS IN THE PRISON AND TORTURE CHAMBER (STEP NINE)[215] 210A

WHAT THE JUDGE MUST do is easy to explain. As common justice demands, the denounced woman is sentenced to the penalty of blood only if convicted by her own confession. On the other hand, she is considered to be manifestly caught in heretical depravity on the basis of the other two criteria (the evidence or the indication of the deed,[216] and the lawful production of witnesses), as was mentioned above in Question Seven.[217] This second kind of denounced woman is the present topic of discussion, and in this case, she clearly will be exposed to questioning under torture to make her confess her crimes. In order to make this question clear, let us set down a situation that took place in Speyer and came to the notice of many people.

When a certain respectable man passed by a certain woman and was unwilling to gratify her wish in the sale of a certain item for sale, she was outraged and shouted at his back, "Soon you would wish that you had agreed." (Sorceresses have a customary practice of speaking in this way | or with a similar meaning when they wish to inflict sorcery with 210B prior notification.)[218] The man was then outraged and not unreasonably turned his face around to see in what spirit she had uttered these words. All of a sudden, he was stricken with sorcery, his mouth being pulled sideways as far as his ears in a horrible disfigurement. He could not pull it back, and this disfigurement persisted for a long time. At this point the evident deed was laid out before a judge.

[215] At this point, a disordering of the numeration of the questions begins as the result of the omission of a chapter that had been planned and an incompletely executed attempt to revise the numbering. This section was no doubt to have been based on Eym. (451 2C–452 1D), which discusses "the recusal of the inquisitor." Basically, the section states that the accused may recuse the inquisitor if the latter has "really and in fact burdened him by such acts as refusing to grant lines of defense when the defendant has requested them or an advocate." Naturally, it is the inquisitor himself who is to decide the validity of the demand, and most of the section is actually devoted to explaining how the inquisitor can refuse if he thinks the request unmeritorious (as no doubt he was bound to do). There is no way of knowing what caused Institoris to think better of including such a section. Perhaps, given the high opinion he had of the method's ability to divine the truth, he decided that even the remote possibility of a meritorious recusal was excluded, or perhaps he thought it best not to be putting ideas in the heads of the sorceresses, whom he thought capable of thwarting the course of secular justice even without recourse to such pleas.

[216] Here the "evidence of the deed" and "indications of the deed" are taken to be alternatives, but in 207C they were treated as separate indications.

[217] 202A–D.

[218] For an elaboration of this idea, see 232B.

Now that we have set down this situation, the question is raised as to whether she should be considered to be manifestly caught in the Heresy of Sorceresses. On the basis of Bernard's words in the Ordinary Gloss on Chapter "*Ad abolendam*," as is discussed above in the question already cited,[219] the response should be that she is, because, as is mentioned in that passage, there are three methods by which someone is judged to be caught in this way. These three do not have to coincide concomitantly, that is, all three at the same time. Rather, each by itself (the evidence of the deed, the lawful production of witnesses, and her own confession) causes a sorceress to be considered as manifestly caught. An indication of the fact differs from evidence of the fact in that while it is inferior
210C to such evidence, it is derived from the words and works of sorcerers, | as is mentioned in the cited Question Seven, and is judged on the basis of acts of sorcery that are not inflicted suddenly but over the course of time (with preceding threats).

Let us conclude as follows. Our question now concerns similar denounced sorceresses and those who have failed in their lines of defense, as has already been discussed (or did not fail because such lines of defense were not allowed since they were not asked for). What, then, should the judge do and how should he proceed to questioning in order for her to tell the truth in furtherance of the punishment of blood?[220] In this regard, there are quite a few points that the judge should note on account of the vast struggles involved in fighting the sorcery of silence, and these points will be recounted one after the other in the following chapters.

The first is that he should not be readily inclined to examine the sorceress under torture but should pay attention to certain signs that will be described. The reason why he should not be readily inclined is that, unless God's compulsion through a holy angel co-operates in making the Devil's sorcery cease, her sensitivity is so dulled in the midst of her pain that she will be torn apart limb by limb before she is able to confess anything of the truth. Nor, however, should torture be neglected
210D for this reason, both because they are not | all equally entangled in acts of sorcery of this kind, and because sometimes the Devil allows the sorceress to confess her crimes of his own accord without being forced by a holy angel. (To understand this point, the discussion above in Part Two[221]

[219] 202C in Q. 7.

[220] Note that the torture is not being used to force the accused to make statements of fact that could be verified (as normal legal theory would dictate), but to provide the judge, who has already decided on the guilt of the accused, with a confession that will allow him to impose the death penalty.

[221] 99A–C.

of the work about the method of doing homage to the Devil should be noted.) There are some women who campaign in the Devil's service for some years (six, eight or ten), before they do homage to him, that is, by dedicating themselves to them[222] in body and soul, while others do homage to him immediately when they make the profession of their renunciation of the Faith to him in the beginning.

Why does the Devil accept this requested delay? Clearly, the reason is so that in the interval he may test the sorceress as to whether she is renouncing the Faith in her mouth alone and not in her heart and is doing homage to him in the same way. Since the Devil can know the inner feelings of the heart only through conjecture based on outer actions, as was discussed in Part One of the work in the difficulty as to whether demons can turn humans' minds to hatred or love,[223] quite a number of women can also be found who are induced by some necessity or by poverty to become apostates from the Faith in whole or part through other sorceresses and who hope that they will confess or escape. | Such women he clearly abandons without any compulsion on the part 211A
of a holy angel. Hence, they readily confess their crimes, while others, who adhered to him in their hearts just as they did in their mouths, are protected by him to the best of his abilities and become obdurate under the influence of the sorcery of silence.

This discussion makes clear the solution to the question about the cause of the fact that while certain sorceresses confess easily, others hardly do so. Even when the Devil is not warded off by God, he still abandons the first group of his own accord, so that through their temporal shame and horrible death he may bring to desperation those whom he could never entice in their hearts. These facts are also made clear from their Sacramental Confessions, in which they claim that they never adhered to him voluntarily and that it was under the compulsion of demons that they had inflicted their many acts of sorcery.

There is also another distinction. It is clearly seen that after confessing their crimes some women have attempted suicide in order to end their own lives with a noose or hanging, and this work is clearly performed by the infamous Foe[224] to prevent them from receiving Grace from God through Sacramental Confession. This is particularly the case with those who did not adhere to him voluntarily, but after those who did adhere to him voluntarily confess the crimes, he also | makes an attempt against 211B

[222] I.e., the demons.
[223] 52A.
[224] I.e., the Devil.

them. In this case it is clearly seen that the Devil has to abandon the sorceress under compulsion.

Let us conclude that since an equal or even greater amount of labor is presupposed in questioning a sorceress under torture to make her tell the truth than in exorcizing someone possessed by a demon, the judge ought to be neither willing nor inclined to such acts unless, as has been said, it is for the purpose of furthering the penalty of blood. Yet, in this case too he should act carefully, first imposing the sentence in the following way.

## QUESTION FIFTEEN: THE METHOD OF SENTENCING THE DENOUNCED WOMAN TO QUESTIONING UNDER TORTURE, HOW SHE IS TO BE QUESTIONED IN THIS WAY ON THE FIRST DAY, AND WHETHER THE JUDGE CAN PROMISE TO SPARE HER LIFE (STEP TEN)[225]

NEXT, WHAT THE JUDGE must note in the second[226] place. The step next[227] consists of his passing sentence in the following manner.

"We, the judge and assessors, noting (or considering) after a careful examination of the merits of the proceedings carried out by us against you and of everything, find that you, Such-and-Such of Such-and-Such
211C place of Such-and-Such diocese, | are inconsistent in your confessions in that you uttered such-and-such threats but without the intention of causing harm,[228] yet there nonetheless are various indications of the deed that are sufficient for you to be exposed to questioning under torture so that the truth will be had from your mouth and you will no longer offend the ears of the judges. Hence, as an interlocutory[229] decision, we make the declaration, judgment and sentence on the present day at such-and-such an hour that you should be subjected to questioning under torture. Sentence was passed" and so on.

Second, this step consists of his still not being eager to question under torture, as has already been discussed.[230] Rather, with the denounced person placed in a form of imprisonment that is penal and no longer for

[225] For the misnumbering of this question, see n. 215.
[226] Continuing the series of things that the judge should take into account, as laid out in 210C.
[227] Conceivably this should be emended to read "first" on the basis of the subsequent divisions of this step, but there is no readily apparent reason to explain such a mistake here.
[228] It is hard to see how these words, which were added to the source material in Eymeric, are an example of being varying in confession unless one denies the existence of idle threats.
[229] On the meaning of this expression, see below, 220A–B.
[230] 210C–211B.

detention as was the case before, and with his friends called in, the judge should point out to them that the denounced person could escape the penalty and perhaps not be executed (though he would be punished in some other way), if he tells the truth, and the judge should urge them to agree to advise the denounced person to do so. For constant reflection amidst the misfortune of imprisonment and the repeated advice of upright men create an inclination to tell the truth, and it has been our experience | that sorceresses were so emboldened by urgings of this kind 211D
that as a sign of defiance they spat upon the ground as if in the face of the Devil and said, "Get out, accursed Devil! I will do what is just," and then confessed their crimes.

If, after a suitable period of time, fittingly extended, has been given to the denounced person and he has been advised repeatedly, the judge believes in good faith that the denounced person is denying the truth, they[231] should question him with moderate torture, that is, without shedding blood, knowing that questioning under torture is misleading and quite often, as has been discussed, ineffective.

The method of beginning is as follows. When the assistants have gotten themselves ready, they should strip him (or if it is a woman, she should, before being brought to the penal prison, be stripped by respectable women of good reputation). The reason for this is to remove[232] any device for sorcery that may have been sewn into his clothing. (On the instruction of demons, they often carry out this practice with the limbs of a child not yet baptized in order that the children should be deprived of the Beatific Vision.)[233] When the implements are ready, the judge should, in his own person and through other good | men 212A
who are zealots for the Faith, advise the person to be questioned under torture to confess the truth freely. If he is unwilling, the judge should order the assistants to tie him to the strappado[234] or fasten him to other implements. They should obey without joy, as if they are upset.[235] Afterwards, he should be released at the request of certain people,[236] dragged

[231] In Eymeric, this plural refers to the "bishop and inquisitor" who are the agents in this procedure and have been replaced by the "judge" here.
[232] This word was inadvertently omitted from this clumsy addition to the original text of Eymeric, but the sense is clear enough.
[233] I.e., the sight of God; for the concept, see 138A and 97C.
[234] This is the standard method for extracting confession.
[235] Executioners (who also carried out the torture in examinations) were considered disreputable, and presumably it was felt necessary to enjoin them not to ruin the solemnity of the occasion with any undue expressions of pleasure in their duties.
[236] The zealots for the faith in attendance?

to the side, and again advised. In this advice, he should be informed that he will not be executed.

At this point the question is raised whether in a situation where a denounced person of bad reputation has been legally convicted by witnesses and the indications of the deed, and all that is lacking is that the person should confess the crime with his own mouth, it is legal for the judge to promise to save his life, even though if he confesses, the person will be punished with execution. The response is that different pronouncements are given by different people.

Some pronounce that if the denounced woman has a very bad reputation and is violently suspected on the basis of indications of the deed, and even if she could cause great harm as the mistress[237] of other sorceresses, she could even in that case be guaranteed her life under the following circumstances. She should be sentenced to life imprisonment on bread and water, provided that she reveals other sorceresses
212B by certain and very true signs. | This penance in prison should not be made known to her in the way that is set down here, and the only thing that should be guaranteed to her is the preservation of her life. A woman to be punished with some sort of penance should be punished with banishment or something else.[238] Without a doubt, in the case of notorious sorceresses, especially those who deal in medicines involving sorcery and use superstitious actions to heal those affected by sorcery, they ought to be saved in such a way that they will either help those affected by sorcery or betray sorceresses. Even then, because the Devil is a liar, no reliance should be placed on their betrayals unless at the same time other indications of the fact in conjunction with witnesses also coincide.

Others hold a view to the same effect. In the situation where she has been sent to prison, the promise should be kept temporarily but after a period of time she should be burned to ashes.

A third group consists of those who say that the judge can with impunity promise to spare her life but later relieve himself of the task of passing sentence and substitute another in his place.[239]

Among these methods, the first seems beneficial because of the curing of those affected by sorcery. Nonetheless, it is not lawful to break acts

[237] I.e., head of the sect.

[238] It was a common practice that suspects (including suspected sorcerers) about whom there was insufficient evidence to warrant more drastic measures were driven out of town and told not to return (often first suffering flogging or some other comparatively minor corporal punishment).

[239] For a different method of lying, see 216D.

of sorcery through acts of sorcery (unlawful works), although, as was explained in the first, introductory question[240] of the present Part Three,
| it is the view of very many that it is lawful to break acts of sorcery 212C
through vain and superstitious acts. Still, in these matters it is experience and practice in the differing circumstances of various cases rather than someone else's art (training) that instructs a judge, and therefore this is left up to the judge. As experience has many times taught, it is certain that many people would confess the truth but are held back by the fear of death.[241]

Third, this step consists of the assistants carrying out the sentence that has been passed if neither threats nor these promises persuade him to confess the truth, and in his being questioned under torture by the usual methods and not by novel or new-fangled ones,[242] lightly or strongly according to the dictates of the malefactor's crime. When he is being questioned under torture, he should be asked about certain articles in connection with which he is being tortured. This should be done often and repeatedly, starting with the lesser charges because he will sooner grant the lesser than the greater ones.

While this is being done, the notary should write the entirety in the protocol, including how he is being questioned under torture, the questions about which he is being asked, and how he answers.

Note that if he confesses under torture, he should afterwards be brought to a different place, so that he will confess anew and will not merely have confessed under the force of the torture.[243]

Fourth, the step consists of other kinds of torture devices being laid 212D
out before him if the person questioned under torture is unwilling to make an appropriate confession, and in his being told that he will have to endure them if he does not confess the truth. If even this cannot bring him to feel terror or tell the truth, then sentence to a second or third day of questioning under torture will be passed in his presence in the following manner (as a continuation and not a repetition of the torture,

[240] 203D.

[241] Another way to look at it is that many confessed to false accusations in the attempt to avoid torture and execution.

[242] It was thought that coming up with new methods of torture was indicative of an unseemly pleasure in the activity.

[243] The legal minds who worked out the theory for the use of torture believed that if someone made a second confession without being tortured, this showed the veracity of the first confession, despite the fact that the accused knew full well that if he retracted the confession, he would simply be tortured again.

since it cannot be repeated unless new indications come to light).[244] "We, the aforementioned judge (as above), assign to you such-and-such a day for the continuation of the questioning under torture, so that the truth should come from your own mouth." The whole should be put into the protocol by the notary.

Before the time that has been assigned, the judge will, in his own person and through other upright men, advise the denounced person to confess the truth in the manner mentioned above,[245] with a guarantee of his life, if this seems expedient. The judge should also make sure that guards will stay with her before that time, so that she will not be left alone, since she will be visited by a demon to make her kill herself, if
213A and to the extent that the Devil | intends to abandon her or is compelled to do so by God. For the Devil knows how to do this much better than anyone can reveal in writing.

[Note on Sources
Major identified sources for Q. 15(1):
Eymeric, *Dir.* Pt. 3 "Method 3 of ending the process in a case involving the Faith, through torture" (*de tertio modo terminandi processum in causa fidei per tormenta*)]

## question fifteen, concerning the continuation of the torture and the stratagems and signs by which the judge can recognize a sorceress, and how he ought to forearm himself against their acts of sorcery, and how they should be shaved, and the situation where they have hidden devices for sorcery, along with various explanations of how to block the sorcery of silence (step eleven)[246]

WHAT then remains for the judge to do with reference to continuing the torture? It should first be noted that just as there is no single medicine for all diseases but rather separate and specific medicines for

[244] A person could be tortured only once on the basis of a given set of evidence, and only the discovery of new evidence would justify a "repetition" of the torture, but it was permissible to "continue" the "same" instance of torture over the course of several days. Thus, the distinction between "continuing" and "repeating" torture was more theoretical than substantive.

[245] 211C–D.

[246] For the misnumbering of this question, see n. 215.

separate and specific diseases, no single method of questioning, investigating and examining with reference to the articles should be followed for all heretics or all those denounced for heresy, and instead a different method of examining that varies according to the reality of the sects and persons should be followed. Therefore, like | a physician who strives 213B to cut out gangrenous limbs and separate the mangy sheep[247] from the healthy, the prudent judge can now surmise that the denounced woman is infected with the sorcery of silence, but no single, unfailing rule or method can be described for wrenching out this silence. Indeed, it would not be safe to give one, because if that method became a common practice and general rule, then, when the sons of darkness[248] foresaw it, they could more easily avoid it as a trap for their damnation or take precautions. The prudent and diligent judge should therefore develop an opportune method of questioning from the answers of the witnesses or their attestations or from the procedures that experience has otherwise taught him or from the ones that the keenness of his own intelligence has discovered, while making use of the stratagems set out below.

If the judge's aim is to investigate whether she is enveloped in the sorcery of silence, he should note whether she can cry when standing in his presence or being exposed to torture. The ancient accounts of trustworthy men and the teaching of our own experience have demonstrated that this is the most certain sign, so that even if she is urged and compelled with conjurations to cry, if she is a sorceress | she does not 213C have this ability (to shed tears).[249] To be sure, she will emit plaintive sounds and attempt to dab her cheeks and eyes with spit as if she were crying, and those present should pay close attention to this.[250]

The following or a similar method of conjuring her to genuine tears if she is innocent and of restraining false tears can be followed by the judge (or priest) in the sentence. Putting a hand over the head of the denounced man (woman), he says, "I conjure you by the loving tears

[247] This reference to sheep has been added to the medical imagery borrowed from Eymeric, but no corresponding reference to shepherds is made.

[248] I.e., heretics. The phrase is adapted from 1 Thess. 5:5 ("You all are sons of light and sons of the day. We are not [ones] of night or of darkness"). (Note that this chapter is overtly cited in 218C.)

[249] The letter from the burgermasters and city council of Ravensburg directly attested that the inquisitor who visited them (almost certainly Institoris) informed them of the "remarkable fact" that "if one questions (tortures) them and they don't cry, they are such witches or sorceresses."

[250] Hence, when the inquisitor knows that the accused is guilty but she cries contrary to expectations when she is being tortured to extract a confession, such tears can be ascribed to malfeasance on her part.

shed on the Cross for the salvation of this world by Our Savior, the Lord Jesus Christ, and by the most passionate tears of His mother, the Most Glorious Virgin Mary, which were sprinkled over His wounds at eventide, and by all the tears shed here in this world by all the Saints and the Elect of God, from whose eyes He has now wiped every tear, that you should shed tears to the extent that you are innocent, but not at all if you are guilty. In the name of the Father and of the Son and of the Holy Ghost." (Sign of the Cross.) "Amen."

Experience has taught that the more they were conjured, the less they could cry, though they would vigorously goad themselves to cry and
213D dampen their cheeks with spit. | It is, however, possible that afterwards, in the absence of the judge and outside of the place and time for torture, they can cry in front of the guards.[251]

If there is a question about the reason for the impediment to crying in the case of sorceresses, it can be said that in the case of the penitent the Grace of Tears is ascribed to specific gifts, Bernard asserting that a humble tear can reach heaven and conquer the Unconquerable One,[252] and therefore, no one should doubt that this is known to be very displeasing to the Enemy of Salvation.[253] Hence, no one doubts that he expends the greatest effort to hinder these women in order to produce a final impenitence instead.

What if with God's permission it happens that a sorceress does cry through the Devil's cunning, since women are said to be characterized by crying, spinning and deceiving?[254] It can be responded that since the judgments of God are secret, if she could not otherwise be convicted by legal witnesses in a situation involving some indications of the deed, so that she would not even be seriously or violently suspected, then she would clearly have to be absolved. In light of the light suspicion to which she would then be subject because of the bad reputation about which the witnesses gave depositions, she would have to abjure the Heresy of Sorceresses, as will be discussed on the topic of Method Two[255] of passing sentence.

[251] While an inquisitor might be able to explain away to his own satisfaction the apparent tears shed by the accused in the torture chamber, it would be more difficult to convince guards and others who saw her crying at other times. Hence, the "fix" of ascribing the sorceress's inability to cry to the torture chamber conveniently restricts the amount of apparent crying that needs explanation.

[252] Ultimate source unknown.

[253] I.e., the Devil.

[254] A common medieval aphorism.

[255] Q. 21 (225D–227B).

The second precaution, which should not only be followed after the first one but | should be observed at all times by the judge and all the 214A
assessors, is that they should not allow themselves to be touched by her physically, especially on the naked wrist. Rather, they should by all means carry with them salt that was exorcized on a Sunday and a Blessed Palm and Blessed Plants. These objects, along with Blessed Wax that is wrapped up and worn on the neck at the same time, as was explained above[256] in Part Two of the work in the section on the remedies for illnesses and defects caused by sorcery, are wondrously effective at keeping a person safe. This statement is based not only on the testimony of sorceresses but also on the usage and custom of the Church, which practices such exorcisms and blessings for this purpose, as is made clear in the exorcisms of sorceresses, in which the purpose of the words is said to be "to put to flight all the power of the Foe" and so on.

A discussion of the touching of the wrist or limbs would not seem to be out of place. With God's permission, they can, especially at the time when they are being exposed to questioning under torture, affect people with sorcery by the working of the Devil, sometimes through touch, sometimes through sight or the hearing of words uttered by them. Through the teaching of experience, we know of certain sorceresses kept under detention in castles who kept importuning the castellans to allow them, upon the arrival of the judge | or of the other authority in charge 214B
of them, just to direct their first glance at the judge before they were seen by him or the others. From this glance they achieved the result that this judge or the others (his assessors) were so transformed in the loyalties of their hearts that they lost whatever outrage, if any, they had had. They would not presume to harass the sorceresses in any way, but let them go free. This is the true testimony of a man who has knowledge from experience,[257] and would that they were not able to bring about such things! Judges should not undervalue these warnings and remedies, since underestimating the importance of such matters after such great warnings will result in their eternal damnation according to the Savior's statement: "If I had not found[258] and spoken to them, they would have no sin. Now, however, they have no excuse for the sin" [John 15:22]. The judge should therefore protect himself with the foregoing suggestions according to the Church's ordinance.

[256] 87D–88D.
[257] Presumably Institoris.
[258] Regular text: "come"

If it is convenient to do this, she should be brought in backwards, with her back turned towards the judges and assessors (not merely in this step but in all the preceding and following ones). When he protects himself with the Sign of the Cross and assails her in manly fashion, all strength
214C of the Ancient Serpent[259] will be broken with the help of God. | No one should think bringing her in backwards is superstitious, since, as has often been mentioned, the canonists permit the breaking and hindering of greater acts of sorcery, saying that it is always lawful to smash vanities with vanities.

The third precaution to be taken in the present Step Eleven is that the hair should be shaved from every part of the body.[260] The reasoning is the same as in the stripping off of the clothing above.[261] For the sorcery of silence they sometimes keep superstitious amulets consisting of certain objects in their clothing or in the hair of the body or sometimes in the most secret places, which cannot be named.

If in objection it is asked whether the Devil could not harden the mind of the sorceress even without such amulets, so that she would be unwilling to confess her crimes, just as certain other criminals are frequently found to be, despite the greatest tortures of every kind, even though they have been convicted through indications of the deed or through witnesses, the response is that it is clearly true that the demon is able to bring about such silence without any objects at all, but he uses such objects in order to cause the damnation of their souls and to increase the insult to God.

214D In order to explain this more clearly, | a certain sorceress in the town of Hagenau, who was mentioned in Part Two[262] of the work, knew how to bring about the following variety of the sorcery of silence. A newborn male baby that was not yet baptized and in addition was a firstborn was killed, roasted in an oven, burned up with other objects which it is not a good idea to mention, and reduced to ashes. If any sorceress or criminal carried any of this stuff with him, he would not confess his crimes in any way at all. In this case, it is clear that if one hundred thousand children were used, they could never achieve such silence as a result

[259] I.e., the Devil.

[260] The letter from the burgermasters and city council of Ravensburg directly attests that the inquisitor who visited them (almost certainly Institoris) directed that they shave the suspects. The *Memorandum* (475) and the *Nuremberg Handbook* (8v) agree with the statement here about shaving the entire body, but below this is emphatically rejected on the grounds that shaving the genitalia is considered shameful in Germany (215B–C).

[261] 211D.

[262] 99B–C.

of natural tendency. Rather, as is clear to anyone with intelligence, the Devil makes use of these practices to damn their souls and offend God's majesty.

As for the further allegation that it is often criminals and not sorcerers who keep such means of silence on them, it should be said that this silence can result from three causes. The first is a hardness of the mind that is in some way natural. While certain people are so soft in the heart or crazed, that under light torture they grant anything at all, even any lies, others are so hard that however much they may be tormented, the truth | cannot be 215A got from them. This is especially true of those who have been questioned under torture on a different occasion, since their arms quickly bend in the way that they are pulled.[263] The second is that the silence results from a device for sorcery kept on them, either in their clothing or in the hair of the body, as has been said. The third is that sometimes when they do not keep on their person devices for sorcery that are sewn in or attached, they are still affected with sorcery by other sorceresses, however distant. In just this way, a certain sorceress in Innsbruck used to boast that when she had just a thread from the clothing of someone in detention, she could bring it about that however much he was tortured, even to the point of death, he would confess nothing.[264] Hence, the response to the objection is obvious.

What circumstance is said to have happened in the diocese of Regensburg?[265] When certain heretics were convicted by their own confessions and were sentenced to death not merely as impenitents but as defenders of that breach of the Faith, it happened that they remained unharmed in the flames. When they were eventually sentenced to drowning, this too was of no avail. Everyone was also amazed at their faith. When some

[263] Presumably, what is meant is that having previously been loosened, the joints now offer less resistance when pulled.

[264] In a deposition given on October 8, 1485, during Institoris's inquisition in Innsbruck, Margaretha Grünepachin stated that one of the suspects, Barbara Hufeysen, had told her that she could get any thief or robber out of jail and ensure that he could make no confession, so long as she had four threads from the criminal's clothing, even if he had worn it only once. A statement is also attributed to an unknown protocol drawn up by a vicar that Hufeysen told someone that she could free her husband from arrest if she had three threads from his clothing; her husband's statement is also said to agree with this. There is no direct indication in the surviving protocol that the threads would be used to ensure silence during torture, but that is presumably the circumstance envisaged for the forestalled confession.

[265] This is a much earlier literary story that has been ascribed by rumor to (apparently contemporary) Regensburg. At any rate, Caesarius of Heisterbach relates the story with much more detail (*Dialogue of Miracles* 5.18), setting it in the French city of Besançon on the authority of an aged fellow-monk who claimed to have been there at the time of the events (presumably in his youth in the mid to late twelfth century).

people endeavored to defend it as the proper faith, the bishop became
215B worried and enjoined a three-day fast on his flock. | When this was devoutly fulfilled, it came to the knowledge of a certain person that in a particular part of the body (under one arm), they had a device for sorcery sewn between the skin and flesh. When this was found and removed, they were immediately consumed by the fire. It is the view of others that a certain nigromancer betrayed the secret after consulting a demon who told it to him.[266] However this was done, it is probable that the Devil revealed this information under the compulsion of God's power, since the Devil is always scheming to overturn the Faith.

Similarly, when such a circumstance happens to a judge, what he would have to do can be gathered (if, that is, he resorts to the protection of God). In a situation where neither changing their clothes nor shaving their hair can bring them to confess the truth under torture, this sort of demonic force should be driven off from the sorceress through the fasts and prayers of devout persons.

In the regions of Germany, this sort of shaving, especially around the secret places, is considered very degrading, and for this reason we inquisitors[267] also make no use of it. Rather, we shave the hair on the head, and then we put a drop of Blessed Wax in a chalice or cup of
215C Holy Water | and give it to them to drink three times on an empty stomach in the name of the Most Holy Trinity. By the Grace of God we have removed the sorcery of silence from many in this way.[268] In other kingdoms, however, inquisitors order this shaving to be carried out over the entire body. The Inquisitor of Como[269] in fact told us that last year, which was 1485, he ordered forty-one sorceresses to be burned to ashes after the hair was shaven off over their entire bodies. This was in the district and county of Bormio (Wurmser Bad in the vernacular) within the territory of the dominion of the Archduke of Austria in the direction of Milan.

[266] According to Caesarius, when the bishop became worried about his inability to burn the heretics (and the bad effect this had on the morale of the faithful), he asked a priest who was an old hand at nigromancy to compel the Devil to reveal the heretics' secret. The author here (Institoris) is uncomfortable with this detail because it derives from the old conception of learned nigromancy by which someone knowledgeable in that art could force the demonic powers to do his bidding, an idea that did not at all fit in with the satanic conception of sorcery as a heretical sect dominated by Satan himself.

[267] Apparently German inquisitors, which presumably includes Institoris.

[268] Institoris outlines his own procedure at length in *Nuremberg Handbook* 2.7 (8v), though there he does advise shaving the entire body "above and below," just as is the case in 214C. He also specifies (9r) that the wax should be given for drinking in water that had been blessed on the Easter vigil.

[269] See 64A.

If it is asked whether at a time of necessity, when the sorcery could not be removed through any of the suitable remedies in the ways described above, it would be lawful, for the removal of such sorcery, to consult female diviners, who cure and break spells of sorcery, the response is that whatever may be the case with the business that took place in Regensburg, we urge in the name of the Lord that in no case, however pressing, should female diviners be consulted for the common good (because of the great insult to God's majesty), since we have been granted so many other remedies by which we will certainly be able to achieve our goal, either in the proper form of a prayer or in the equivalent, | so 215D that either the complete truth will be learned from her mouth, so that she may be burned to ashes, or God will get rid of her by granting some other death in her case.[270]

These remedies have been set out by us, so that a person should first do what he can by his own diligence and the use of his own resources, pressing on with the methods discussed above, especially on certain days, as will soon be explained[271] in the following question ("You will be filled for every good work" 2 Cor. 9[:8]). Second, if he fails, he should appeal for advice to other people, who would perhaps share with him a remedy that he had not thought of, since there are various methods of breaking spells of sorcery. Third, if the foregoing methods fail, he should appeal to devout persons in accordance with the passage in Ecclesiasticus 37[:15]: "You should constantly attend to any saintly person whom you recognize as practicing the fear of God." Also, the Saints in the Heavenly Homeland should be summoned by them.[272] If all these suggestions fail, the judge and the entire congregation should immediately appeal to God with fasts and prayers that this sorcery be ended by His piety, just as Jehoshaphat did ("When we do not know what we ought to do, all that we have | left 216A is to turn our eyes to You" [2 Chron. 20:12]).[273] Without a doubt God will not fail in our times of need. Hence, Augustine says (this is quoted in 26, Q. 7, "*Non observabitis*"), "Whoever practices or heeds or agrees to these and any acts of divination or fates or auguries at all, or believes in those who practice them and similar people," that is, by attending their work, "or goes to their houses or brings them into his own or consults them, should know that he has defrauded the Christian Faith

[270] Note that at this point in the proceedings, the only conclusion foreseen for the accused is death.
[271] 216B.
[272] This sentence has been clumsily adapted from the original text of Nider's *Praeceptorium*, and it should read "by him." Also, this is the fourth in Nider's original list of five things that should be done.
[273] The fifth item in Nider's list.

and Baptism, and that as a pagan, apostate and enemy of God he forever incurs the grievous anger of God, unless he is corrected through the Church's penance and is reconciled to God." The judge would therefore not fail if in accordance with the foregoing he always makes use of the lawful remedies and the final stratagems written below.

[Note on Sources
Major identified source for Q. 15(2):
Eymeric, *Dir.* Pt. 3 "Practices to be observed by inquisitors in the examination of heretics" (*observanda ab inquisitoribus in examinatione hereticorum*)
Nider, *Praec.* 1.9]

## question sixteen: the time and method two of questioning (step twelve), concerning the final stratagems to be observed by the judge[274]

A few things should[274] be noted about the foregoing. The first
216B is that they should be questioned on more holy | days and during the rites of the Mass. In this way, the congregation may also be urged to pray for God's help in general (no specification should be made except that the Saints should be invoked against all harassment on the part of demons). The second are the notes made above about Blessed Salt and other things in combination with writing down on a sheet of paper the Seven Words[275] uttered by Christ on the Cross. These should be bound up together and attached to her neck, and Blessed Wax the length of Christ's body[276] (if such a length can be conveniently obtained) should be bound to her naked body. Experience has shown that the sorceresses are disturbed in a wondrous way by these things and can barely keep them on, especially Relics of the Saints.

After these preparations have been made and the Holy Water offered for drinking, she should again be made ready for the questioning under torture, being constantly urged as before. When she is raised from the ground (if being tortured in this way),[277] the judge should read (or have read) the statements of the witnesses with the names supplied,[278] speaking as follows. "Look, you are convicted by witnesses." If the

[274] For the misnumbering of this question, see n. 215.
[275] See Pt. II n. 596.
[276] See Pt. II n. 608.
[277] See n. 234.
[278] Given the care with which the names have hitherto been concealed, it seems surprising that so little is made of the change of procedure, but the fact that the text immediately goes on to

witnesses wish to confront her face to face, | then the judge would ques- 216C
tion her as to whether she would be willing to confess if the witnesses are brought before her. If she agrees, the witnesses would have to be brought in and put in her presence, in case she would confess something through shame or embarrassment. Finally, if he sees that she is not willing to reveal her crimes, he will question her as to whether she is willing to undergo the judgment by glowing iron to establish her innocence. They all are eager for this, knowing that they will be kept from harm by demons, and they are thereby recognized to be truly sorceresses.[279] The judge will reply by asking what rashness could lead her to subject herself to such dangers. All this should be written down. (It will be explained below[280] that that judgment by glowing iron should not be granted to them.)

The judge should also note that they have often confessed on Fridays, particularly until the ringing of the bells for the Last Breath of Our Savior.[281]

We should proceed to the final situation, that is, one of complete denial on her part. If she persists in this denial, the judge will release her (he should still make use of the following stratagems) and take her from the penal prison to another (well | fortified) one for detention. He 216D
should, however, ensure by every means that she is not handed over to pledges or sureties or otherwise released through a grant of bail, because when they are given to a surety, the truth is never had from them, and in fact they are made worse.[282]

What he should first see to is that she should be treated humanely in terms of food and drink, and that in the meanwhile respectable people who are not suspect should enter to speak to her frequently about various irrelevant matters and eventually advise her in confidence that she should confess the truth, promising that the judge will grant her grace[283] and that they are willing to act as intermediaries. To this end, the judge will enter and promise to grant grace, understanding "to himself" or "to the

allow the possibility of directly confronting the accused with the witnesses indicates that it is in fact intended that the witnesses are now to be identified.

279 219C–D.

280 Q. 17 (218A–219D).

281 With a false equation of the ancient method of reckoning the daylight hours (twelve hours of variable length with the hour after dawn counted as the first) with the fixed hours of 6 a.m. to 6 p.m. as counted by a clock, it was thought, on the basis of Luke 23:44 ("And it was now [at the time of the crucifixion] about the sixth hour, and a darkness came over the whole land until the ninth hour"), that the death took place at 3 o'clock in the afternoon.

282 Presumably, this statement reflects Institoris's experience with the deleterious effects of releasing suspects from his clutches.

283 I.e., a pardon.

state," for whose preservation everything that is being done is a kind of grace.[284]

If he promises her her life (these matters were treated above in Question Fourteen on the topic of the three methods),[285] the details should be written down by the notary, along with the verbal formula and the spirit in which the mercy was promised. If the denounced woman does in fact ask for mercy in this way and reveal deeds, general words should
217A be spoken to the effect that she will get more than she asks for, | the purpose of this being to make her speak with greater confidence.

The second precaution in this step is that if she is altogether unwilling to reveal the truth, then if her accomplices, who have been examined without her knowledge, as was discussed above,[286] have given depositions of such a kind that she could be convicted with them, the judge should set out these statements and investigate the details carefully. Similarly, if any devices or ointments or boxes were found in the house, these should be shown to her. She should be asked the purpose for which she used them, and so on.

The third stratagem is that if she still persists in her obstinacy, he should take the companions who have been examined and given depositions against and not for her, or if he does not have any, he should find some trustworthy person whom he knows to be not unwelcome to the detained woman but rather a friend or abettor. This person will enter her cell one evening and draw out the conversation. Eventually, the person should, if not one of the accomplices, pretend that it has got too late to leave and stay with her in the cell, and they should talk together during the night. If the person is one of the accomplices, then they will eat and
217B drink together, discussing the crimes they have | committed. In this case, an order should be given for spies to stand outside the cell in a suitable place in order to overhear them and collect their words. If necessary, a scribe should accompany them.

The fourth stratagem is that if she then begins to tell the truth, the judge should not under any circumstance stop taking her confession, even in the middle of the night, but should continue as far as possible. If it is during the day, he should not care if he puts off lunch or dinner, but should press on until she has told the truth, at least in terms of the main

[284] This form of giving a false promise is different from the two versions given in 212B. And to think that Satan is called the "contriver of a thousand deceits"!

[285] 212A–C. This cross reference gives the correct (reduced) numbering for the chapter, in light of the decision to abandon the originally planned eighth question, rather than the incorrect number that appears in the text (and in another cross reference in 220D).

[286] 203B.

accusations. It has frequently been found that when the proceedings are broken off or interrupted, they return to their vomit, and adopting worse counsel they do not disclose the truth that they had begun to reveal.

The judge should also note that after her confession to the injuries inflicted on humans or domestic animals, he should ask for how many years she had the incubus demon, and how long ago she renounced the Faith, because they never confess about these matters unless they have first confessed the others, and so they should certainly be questioned about them at the end.[287]

The fifth precaution is that if all the foregoing suggestions fail, then if possible, she should be taken to | some castle and put in detention 217C there for a few days. The castellan should then pretend that he will be traveling far away. In the meanwhile, some close acquaintances or respectable women should visit her and promise her that they[288] are by all means willing to let her go free, provided that she informs them[289] about certain *experimenta.* The judge should note that they have very often confessed and been convicted in this way.

Very recently, in the diocese of Strasburg in the castle of Königsheim[290] near the city of Schlettstadt no torturing and questioning could bring a sorceress in detention to confess her crimes. Eventually, the method mentioned above was followed by the castellan (he was present but the sorceress thought that he was away). Three close acquaintances came in and promised that she would be given her freedom, provided that she informed them about certain *experimenta.* She at first refused, explaining that they were dealing with her in a deceitful manner, but eventually, when she asked what they wished to be informed of, one mentioned stirring up a hailstorm, another sexual acts, and in the end, | she was 217D willing to inform them about the hailstorm. When a dish full of water was brought to her, the sorceress told him to set the water in motion a little with a finger. After she uttered certain words, suddenly in the place mentioned by the spy (a wood adjacent to the castle) a greater downpour of hail than had been seen for many years took place.

[287] The logical explanation of this is that such "renunciations of the faith" are figments of the inquisitorial imagination that are extracted from the accused only after they have already been forced by the torture to admit to whatever falsehood the inquisitor has already decided they committed. Note in particular how leading the suggested questions are.

[288] Presumably, the authorities.

[289] Both the male and the female forms of the pronoun are used, so the friends are meant.

[290] No present site near Schlettstadt is known by this name. Perhaps what is meant is the now famous castle at (High) Königsburg.

It remains to be explained, with reference to the situation where everything fails, or one where she confesses the crimes, what more the judge should do by means of his sentence to finish the whole proceeding, and with this topic the last part of the work will be completed.

[Note on Sources
Major identified source for Q. 16:
Eymeric, *Dir.*, Pt. 3 "Inquisitors' stratagems against heretics' quibbles and deceits" (*cautele inquisitorum contra hereticorum cauillationes et fraudes*)]

*Part Three of this last part of the work follows: how these proceedings involving the Faith are to be brought to a proper end by means of the definitive sentence*

Now that by the grace of God the means of recognizing the peculiarities that relate to the Heresy of Sorceresses have been explained along with the manner in which proceedings involving the Faith should be started and continued against the sorceress, it remains to discuss how such proceedings should be brought to a proper end through passing the due sentence.

218A At this point, it should first be noted that as was discussed in the beginning of this last part,[291] in comparison to the other, straightforward forms of heresy, this one can be characterized as not having a pure essence but being a mixture of ecclesiastical and civil crime, as is self-evident. Therefore, in treating the methods of passing sentence, there must first be a treatment of a certain sentence to which sorceresses commonly appeal and which a secular judge can deal with by himself without requesting the involvement of the ordinary. Second is a treatment of the matters with which he cannot deal without the ordinary. Third, in this way it will be explained how ordinaries can relieve themselves of the business.

## Question Seventeen: The Vulgar Form of Purgation, and Especially the Examination by Glowing Iron, to Which Sorceresses Appeal

[TT] Whether a sorceress should be purged in a tempting[292] manner by means of the vulgar form of purgation mentioned in 3, Q. 4, "*Consuluisti*" and "*Monomachiam*," and whether she should be

[291] 193C.
[292] I.e., by "tempting" God (see next note).

obliged or allowed by the secular judge to undergo the trial[293] by glowing iron if she appeals to it.[294]

[AG 1] The answer seems to be that she should. Like the duel, the judgment by touching glowing iron or by drinking boiling water is ordained for the preservation of the defendant's own life in a criminal case or for the preservation of his property in a civil one. | The duel is 218B
lawful in certain situations according to St. Thomas in *Secunda Secunde*, Q. 95, at the end of the last article [*Summa* 2/2.95.8.Ra3]. There he says that the duel can be lawful in a situation where it resembles the common method of casting lots,[295] and therefore the trial by glowing iron can also be lawful in a certain situation.[296]

[AG 2] Also, it was practiced by many rulers of a saintly way of life who employed the counsel of good men, such as the emperor St. Henry who used it in the case against his wife, the virgin Kunigund, whom he suspected of adultery.[297]

[AG 3] Also, just as a judge, who looks after society, can lawfully permit lesser evils in order to avoid greater ones, such as allowing prostitutes in cities to prevent everything from being thrown into confusion through lust, as Augustine states in *Free Will* ("Get rid of the prostitutes and you will throw everything into confusion with lust"), the same is the case with such a judgment in a situation where someone could be freed from the insults and injuries associated with some society arising from a criminal or civil case.[298]

[293] An earlier form of adjudicating criminal charges. The necessary ecclesiastical cooperation was prohibited in the early thirteenth century on the grounds that this procedure was tantamount to a temptation of God, but the practice continued nonetheless.

[294] This disputed question is defectively conceived. Though the title, the initial arguments, the "*sed contra*" section and the response are readily identifiable, the formal rebuttals of the arguments are omitted at the end. In addition, the initial arguments are feeble, and while the response deals with the content of AG 1 without addressing it directly, the others are completely ignored.

[295] I.e., the random drawing of lots without any sort of magical interference.

[296] This is a misrepresentation of Aquinas's view. He holds the judgment by glowing iron or boiling water to be illicit because it expects a miraculous intervention from God. He then says the same applies to duels except to the extent that they are more like the procedure of drawing lots in that nothing miraculous is expected of God except when the contestants are very unequal in bravery and skill.

[297] The Holy Roman Emperor Henry II (972–1024), later canonized, had an empress named Kunigund. According to the *Golden Legend* (Ch. 209), with Henry's consent, she took an oath of chastity, and when her virginity was called into question, he had her walk over red-hot ploughshares in a form of the judgment by red-hot iron.

[298] This rather feeble argument is based on a play on the Latin word *communitas* (translated as "society" here in an attempt to preserve this verbal play). With reference to the judge's supervision, it signifies what we would call civil society, while with reference to the litigant it signifies his "association" with the case. Apart from the common word, the two situations are not logically comparable. While the judge is said to tolerate a lesser evil for the sake of the "society," the litigant uses the lesser evil to *escape* from his "society."

[AG 4] Also, the harm to the hands from the glowing iron is less important than the taking of a life in a duel. Therefore, if the duel is allowed when such is the custom, then a fortiori so is the examination by glowing fire.

[SC] The contrary position is held in 2, Q. 5, "*Monomachiam*," where it says, "Those who follow these and similar practices seem to be tempting
218C God." | Here the Doctors say that it is necessary to note that one should keep away not only from what is evil according to the Apostle (1 Thess. 5[:22]) but from what brings a suggestion of evil, and therefore, it does not say in that chapter, "All who follow these practices are tempting God," but "seem to be tempting." Hence, it should be understood that even if it is granted that someone following such practices has in mind some purpose that perhaps is right, it is nonetheless necessary to take precautions because the appearance is bad.

[CO] Response. The unlawfulness of such a judgment or examination, especially the one by the glowing iron, is demonstrated on two grounds. The first is that these procedures are ordained for passing judgment on a secret matter, but such matters are reserved for God's judgment. The second is that a judgment of this sort is not sanctioned by the authority of God or by the teachings of the Holy Fathers. Hence, it says in Chapter "*Consuluisti*" (2, Q. 5), "What is not sanctioned by the teaching of the Holy Fathers is presumed to have been sanctioned by superstitious invention,"[299] and in the same chapter Pope Stephen says,[300] "The crimes have been left to be judged by your government through unprompted confession or the proof of witnesses. For hidden and unknown matters should be left to Him Who alone knows the hearts of men."

There is a difference between a duel and an examination by glowing iron or the drinking of boiling water, in that duels are closer to the common method of casting lots than is the examination by glowing
218D iron, | since the duelists are completely equal in manliness and skill.[301] Each form of judgment is ordained for investigating some hidden deed through a deed of man, but because some wondrous outcome is expected

[299] Such is the sense of the text here, which has omitted a negative from the original ("One should not presume [to use] in superstitious invention what has not been sanctioned by the teaching of the Holy Fathers.").

[300] Clearly the author never read the original text of this canon, since the whole thing is a single decision of Pope Stephen. Aquinas quotes only this part, overtly attributing it to Stephen, and some intermediate source has added the earlier quotation from the same canon, in the process giving the erroneous impression that it is from a separate decision.

[301] The notion that the opponents in a duel are completely equal is a rather nonsensical recasting of what Aquinas did say (se. n. 296).

in the judgment by glowing iron, which is not the case with the duel, where only the killing of one or both takes place, the former examination is altogether unlawful, although the duel is not so unlawful.[302]

As an incidental topic for the sake of rulers and secular judges in a situation where a duel is allowed, it should be noted that in connection with the words of St. Thomas in which he makes this distinction, Nicholas of Lyra, in his *Postil*[303] on the Bible (on 1 Sam. 17), wishes to conclude in connection with the duel (combat) between David and the Philistine[304] that a duel could be lawful in certain situations, on the grounds that this[305] was not the meaning of Thomas the Doctor. But Paul of Burgos proves the opposite against Nicholas, and rulers and secular judges would do well to note his proof. The first proof is that the duel, like the other kind of examination,[306] is ordained to judge secret matters, which are reserved for the judgment of God, as was mentioned above.[307] | Neither can it be said that it was established as an institution 219A
by David's combat, because it was revealed to him by God through an inner urging that he should enter that contest and because He wished to wreak vengeance on the Philistine through him for the harm that had been inflicted on Him, as can be gathered from David's words ("I am coming against[308] you in the name of the living God" [1 Sam. 17:45]). Thus, he was not properly a duelist but an executor of God's justice. The second proof is one that judges in particular should note. In a duel, the power, or at least the authorization, to kill each other is granted to both, and since one of them is guilty, the power, or at least the authorization, to kill an innocent man is granted. Since this is simply unlawful on the grounds of violating the dictate of natural law[309] and the commandment[310] of God, it is altogether unlawful from the point of view of both the challenger and the man who accepts, and also of the judge and his

[302] Aquinas does not draw this conclusion.
[303] The term "postil" signified a marginal note on a passage in the Bible, but the word was also used of a collection of comments in the postil format.
[304] I.e., Goliath.
[305] I.e., that a duel was unlawful.
[306] I.e., by glowing iron.
[307] 218C.
[308] The normal text of the Vulgate Bible reads "towards you" (*ad te*) rather than "against you" (*contra te*).
[309] Natural law is a concept that derives from Roman law. The fundamental notion was that certain actions, like procreation, rearing children and self-preservation, existed among humans during the primitive period predating the development of society, when humans acted in the way that could still be observed in the animal world (nature). During the medieval and modern periods, this concept has been further developed through the influence of other lines of thought (e.g., Christian ideals).
[310] I.e., "thou shalt not kill."

advisers, who are all considered murderers. Third, a duel is an individual combat between two men for the purpose of using the victory of one as if it were God's judgment, to reveal one's own injustice and the other man's injustice. In that case God is being tempted, which renders the duel unlawful from the point of view of the challenger and of the man
219B who accepts. In any case, since such judges | could use other means to bring about a just judgment or conclusion for the suit, when they do not do this but recommend a duel or in any way permit it in a situation where they could stop it, they are clearly agreeing to the killing[311] of an innocent man. It is not likely that these considerations escaped the notice of Nicholas the Postillator or that he was unaware of them, and therefore, when he says that in certain situations a duel can be engaged in without sin, he is speaking from the point of view of the judges and advisors when it is without their urging or counsel that the challenger and the one who accepts carry out such an examination by or in some other regard.[312]

Because it is not germane to our inquiry to dwell on these matters but to discuss sorceresses, quite clearly, if such an examination is prohibited in criminal cases involving theft or brigandage, how much more is this the case when it is agreed that sorceresses bring about all the effects of sorcery with the help of demons, whether in terms of inflicting injuries or of healing, breaking or hindering them? It is no wonder that sorceresses are preserved from harm in such an examination through the work of demons, since, as the natural scientists relate, the juice of a certain plant can keep the hands from being burned when smeared on them, and
219C the virtues of plants | hardly escape the notice of the demon. Even if it is granted that he would not prevent the harm by interposing some body between the hands of the carrier and the iron (an effect he can produce invisibly), he could nonetheless achieve this effect through such natural properties in objects. Hence, because of the close familiarity that sorceresses have with demons, they should be purged by such an examination less than any other criminals are. Rather, by the very fact of appealing to it women should be considered suspected sorceresses.

This conclusion is further bolstered by an event that is said to have happened in the diocese of Constance scarcely three years ago.[313] In the

[311] I.e., the possibility of killing.

[312] There is no reason to think that Nicholas meant anything of the kind. This is simply an unjustified effort to reconcile the conflict of two recognized authorities (who by definition ought not to conflict).

[313] Surviving records make it possible to date the following anecdote to exactly March 14, 1485, when Anna Henni of Rötenbach was released after an ordeal by Count Henry of Fürstenberg. Since

dominion of the counts of Fürstenberg, in the region of the Black Forest, there was a certain notorious sorceress who had a very bad reputation among the locals. She was arrested by the count at the insistence of a large number of people and was denounced with very many indications relating to various acts of sorcery. When she was eventually questioned under torture, she appealed to the examination by glowing iron in her desire to escape everyone's hands, and the young count, being quite inexperienced in these matters, allowed the examination. When she was ordered to carry the glowing iron for only three paces, | she carried it for 219D
six and offered to carry it again for a longer distance. Hence, although they could have judged it a manifest indication of sorcery, since none of the Saints would have presumed to tempt the assistance of God in such a way, she was nonetheless released from her chains and remains unharmed to the present day, which clearly results in no little scandal to the Faith.

[Note on Sources
Major identified source for Q. 17:
Aq., *Summa* 2/2.95.8]

## question eighteen: the definitive sentence as such, and how it should be passed

NEXT, the treatment of those matters in which the secular judge can conduct the investigation and pass sentence by himself, while the ordinaries may remain unburdened if they wish. Not only is it our presupposition that we inquisitors are relieved of this burden without detriment to the Faith and justice, but it is also our desire that the bishops should enjoy the same propriety in being relieved. In this we are by no means eliminating their capacity and jurisdiction, but if they wish to use it, it would be necessary for us inquisitors to collaborate with them according to Chapter "*Multorum querela*" ("Heretics" in the *Clementines*). Let them note, however, that since the charge against sorceresses is not purely | ecclesiastical, temporal powers and lords are not forbidden 220A
to pass judgment and sentence, as is stated in Chapter "*Ut Inquisitionis*" § "*Prohibemus*" (*Liber Sextus*, "Heretics"). (He[314] will in a similar manner

the *Malleus* elsewhere indicates that it was finished in 1486, the dating here implies 1483, which conflicts with the correct date. This event is apparently also alluded to in the *Memorandum* (476), where Institoris describes the event as having taken place "just recently" (*nouissime*). Since the *Memorandum* dates to late 1485 or early 1486, this indicates that Institoris was fully aware of the correct date, so the source of the error here is hard to determine.

[314] This and the preceding sentence are not clearly composed. The flow of the present sentence would suggest that it is "this power" (i.e., the secular judge) who will conclude which cases

determine in whose cases this power cannot pass the definitive sentence or conduct the investigation without the diocesans.)

First, it is necessary to look at the sentence in its own right, second, how it should be passed, and, third, how many methods there are by which it should be passed.

Regarding the first topic. According to Augustine, as is quoted in 2, Q. 1 [*Decretum* 2.2.1.1], "We can pass sentence only on someone who has been convicted or has confessed unprompted," and there are three kinds of sentence, "namely, interlocutory, definitive, and instructional," as the Summary Gloss says at the beginning of the question. Raymund says in illustration of this, "'Interlocutory sentence' is the name for a sentence that is pronounced not on the main issue but on other questions that crop up between the beginning and end of the case, such as whether to debar a witness or whether or not to grant a delay and the like. Perhaps it is called interlocutory because it is pronounced
220B by speaking among the parties without | the formality of writing.[315] A sentence is called definitive when the main question is given a definitive decision (*Pandect*, "The Decided Issue" Law 1 [*Digest* 42.1.1]). The instructional sentence is when a superior instructs an inferior." The first two are the next topic for our inquiry, especially the definitive sentence.

The second[316] thing to be noted is that although the gloss mentioned above says that if the definitive sentence is passed without the observance of the legal procedure, it is void in law (on 2, Q. 6, "*Si quando*" § 2 "*Diffinitiva*"). Later on it says, "You should be aware that there are two kinds of legal procedure. One concerns the fundamental essence of courts, such as the provision that a formal joinder of the suit[317] should take place and that witnesses should be admitted. If sentence is passed contrary to such procedure, it is not binding. The other kind does not concern the essence of courts, for instance, the provision that the sentence should not be passed conditionally or that a sentence should not be pronounced about possession before one is passed about ownership. If this procedure is not maintained, the sentence is binding, as is stated in 2, Q. 6, '*Anteriorum*' § '*Biduum*'." (The present case is one that involves

he can try without a diocesan, though apparently the subject is meant to be "the bishop." Presumably, the phrase "in a similar manner" means "by consulting the canon just cited."

[315] This statement is based on the literal meaning of the Latin verb *interloqui* ("to speak among") from which the adjective "interlocutory" is derived.

[316] Not the second topic listed in 220A (this is discussed in 220C–D), but a second point regarding the first topic.

[317] See. n. 134.

the Faith, and in a charge of heresy, though it is mixed,[318] the proceedings are summary, | straightforward, and informal, as is explained in Chapter 220C
"*Statuta*" (*Liber Sextus*). For the interpretation of these words you have the discussion above[319] in Question Six.) There, the text reads, "The judge should not demand a petition or require a formal joinder of the suit . . . ," and later it continues, "He should admit the necessary proofs, and likewise the summons and the presentation of an oath about false accusation" and so on. Hence the explanation of the other[320] method of conducting the proceedings, which is now governed by the modern[321] legal provisions.

Regarding the second[322] topic (how the sentence is to be passed), note that it should be pronounced by the judge and not by someone else. Otherwise, it is not valid. Also, in a respectable public place, with the judge sitting down, as is stated in 3, Q. 3, "*Indutiae*" § "*Spatium*," and during the day and not at night, and so on about many matters noted there. Also, whereas it is stated there that sentence should not be passed on Holy Days and that it should be passed in writing, it is to be noted that the proceedings are to be summary, straightforward and informal, as was mentioned above, and that in "Meaning of Words," Chapter "*Sepe contingit*" in the *Clementines* it says that the judge can legally conduct proceedings during a time of the Holy Days granted by the law as an indulgence for the sake of men's needs and that | the 220D
judge should cut out any delays. Hence, if he wishes, the judge will be able to follow those provisions. He is also not obligated to give his pronouncement in writing, since according to John Andreae there are many circumstances in which the sentence may be valid without writing, and among them is listed the custom of the region or court (Distinction 11, Chapter "*Consuetudinis*"). Even if he is a judge, a bishop can read out sentence through someone else after the fashion of illustrious men.

Also, note that in criminal cases the execution of sentence should not be put off, but this provision is not valid in certain situations. There are four in particular, but two will be taken up as relevant to the subject matter. First, if sentence has been passed in the case of a pregnant woman, it is delayed until the time of birth (*Pandect*, "Legal Regulation," Law

[318] The point being that as a "mixed" crime it can also be handled in a secular court, which would have provisions different from the ecclesiastical ones discussed here.
[319] 199B–C.
[320] I.e., subsequent.
[321] See n. 56.
[322] As laid out in 220A.

"*Pregnantis*").[323] Likewise, when someone has confessed the crime and later denies it (understand, "if the confession was not previously repeated in the manner discussed above in Question Fifteen").[324]

Regarding the third[325] topic (how many methods there are by which it is to be passed). From now on until the end of the work we will treat these methods, but there are some preliminary remarks to be set out regarding the methods by which a denounced person is rendered suspect, because different sentences are to be passed about the different kinds of suspicion.

## QUESTION NINETEEN: HOW MANY METHODS CREATE A SUSPICION THAT RESULTS IN THE PASSING OF SENTENCE

221A WHEN IT IS ASKED | by how many and by which methods people are called suspected of heresy or another crime, and whether in a situation involving such a crime they are to be judged and sentenced on the basis of those methods, the response is that this is the case under both the ancient and the modern[326] procedures. The gloss on Chapter "*Nos in quemquem*" cited in the preceding question[327] says that there are four methods of convicting the accused: by law, for instance, with objects or witnesses; by the evidence of the deed (*Extra*, "Clerics and Women Living Together," Chapter "*Tua*"); by legal interpretation, for instance, because the accused has been summoned several times (3, Q. 9, "*Decrevimus*"); or by violent suspicion (32, Q. 1, "*Dixit*").

The canonists note that there are three kinds of suspicion. The first is "rash," and about this one the canon says, "You should not pass judgment on anyone on the basis of suspicion" (2, Q. 1, "*Primo*").[328] The second

[323] No such law.

[324] 212C. Here this question, which was originally meant to be Q. 15 and ought to have been renumbered as the fourteenth once the originally planned question eight was omitted but was not, is given the erroneous original number that appears in the text. A previous cross reference (216D) to the same chapter gives the correct, lower number, and presumably this means that while that cross reference was based either on an external list that correctly numbered the chapters according to the later scheme (note that the independent count of the chapters of the section in 194A–B takes no notice of the omitted eighth chapter) or on a mental correction of the number in light of the omission, the present reference was determined either through consultation of an earlier list that still gave the original numeration (such a list was used for the main table of contents, which does list the omitted chapter; see 5B) or through direct consultation of the final version of the text.

[325] As laid out in 220A.

[326] For the distinction, see n. 56.

[327] 220A (without the name).

[328] Actually, this canon makes no distinction about varieties of suspicion and says absolutely that no one should be condemned on the basis of suspicion alone.

is "probable," and this kind, but not the first, results in purgation, as is stated in 2, Q. 4, "*Presbyter.*" The third kind is "violent," which results in condemnation. | Jerome is understood to mean this kind when he 221B
says that a wife can be divorced because of fornication or the suspicion of fornication (32, Q. 1, "*Dixit*"). In addition, note that the second kind, which is probable suspicion, is admitted as a semi-full[329] proof, as is stated in many chapters of *Extra*, "Presumptions" [2.23], and so it contributes to the proof if other aids are present. Consequently, it is not admitted only for the imposing of purgation.

Regarding violent suspicion, which is sufficient for condemnation, note that this is of two kinds. Certain suspicion is of the law and by the law,[330] as when the law pretends and establishes something about the deed and no proof is allowed against the suspicion, as in *Extra*, "Betrothals," "*Nec qui fidem*," where it says that if someone gives his word to a woman about contracting a marriage with her and sexual union later follows, it is presumed that there is a marriage and proof to the contrary is not admitted. Some suspicion is of the law but not by the law, as is the case when the law presumes but does not establish something. For instance, if a man has lived with a woman for a long time, it is presumed that she has been known[331] by him (32, Q. 1, "*Dixit*"), and against this | proof is admitted. 221C

To relate this to the question at hand, which is the Heresy of Sorceresses and the modern procedures, we say that in the law there are held to be three kinds of suspicion concerning the charge of heresy: moderate, great and very great. The first ("moderate") is called light suspicion in the law. This is stated in the beginning of Chapter "*Accusatus*" (*Liber Sextus*, "Heretics"), where it says, "If the suspicion was light and moderate, although he should be severely punished on this basis, he should not, however, be punished with the penalty for those who have relapsed into heresy." This kind of suspicion is therefore called "moderate" or "light," both because it is removed with a moderate or light defense, and because it arises from moderate and light conjectures. For this reason, it is called "moderate" from the moderate indications and "light" from light conjectures, for instance in simple heresy involving the Faith if

[329] This term is not in fact used in the canon. The word is part of the legal vocabulary developed in secular jurisprudence as part of the effort to "weigh" the value of varying sorts of evidence.

[330] The distinction is that in the "presumption of the law" a situation is assumed to result from certain circumstances but evidence to the contrary may be presented, while in the "presumption by the law" (*de iure*) the law itself dictates that the situation is necessarily assumed to be the case under certain circumstances, and no evidence to the contrary may be presented.

[331] I.e., sexually.

some people are found to be holding hidden conventicles[332] or deviating in their way of life or habits from the common behavior of the faithful, as is explained in the first Chapter "*Excommunicamus*" (*Extra*, "Heretics").

221D The same applies | with reference to the Heresy of Sorceresses, when by night or day, in the fields or woods, they summon conventicles during the Ember Days[333] or the more important holy times[334] of the year, or when it is found that women either are keeping to themselves and not attending Divine Service at the customary times or in the customary ways or form secret friendships with suspected sorceresses. Such people are considered to be at least lightly suspected of heresy, because it is proven that heretics of this kind often do such things. This sort of light suspicion is mentioned in the Chapter of the *Code* "Heretics" at the end of Law 2 [1.5.2.1], where it says, "Those who are revealed by even a light demonstration to deviate from the judgment and path of the Catholic religion are classified as heretics and should be subjected to the sanctions promulgated against them." Hostiensis agrees with this opinion in *Summa*, Title "Presumptions," § "*Finali*," where he says, "It should be noted that although heretics are revealed with light proof, that is, for the purpose of being considered to be suspected heretics, they ought not to be considered to be heretics." (He proves this with the preceding arguments.)

222A The second ("great") suspicion is | called "vehement" or "strong" by the law. This again is mentioned in the beginning of Chapter "*Accusatus*," which reads as follows. "The person accused or suspected of heresy, against whom a great and vehement suspicion had arisen concerning this crime . . . " Here the conjunction "and" is used to indicate not an addition but an elaboration, as John Andreae notes (same passage): "'Vehement' is the same thing as 'strong,' as the Archdeacon says on the word '*vehemens*' in the cited Chapter '*Accusatus*,' as [Bernard] of Pavia says.[335] In saying that 'vehement' is the same thing as 'strong' or 'large,' Haguccio cited[336] Gregory in Bk. 1 of *Moralia*: 'A vehement wind rushes down from the direction of the thing that it carries.' And the gloss on the passage 'A sound suddenly was made from heaven as if of vehement spirit coming' (Acts 2[:2]) says, 'That is, a strong wind.' And in the book *Catholicon*, which is about words and their meanings, it says, ' "*Vehemens*" means *fortis* ["strong"].' Hence we say that someone has a vehement case when

[332] The standard derogatory term for the religious assemblies of heretics.
[333] For the meaning of this, see Pt. II n. 444.
[334] Esp. the Easter and Christmas seasons (112D).
[335] Passage unidentified.
[336] Passage unidentified.

he has a strong one."[337] Therefore, a great suspicion is called "vehement" or "strong."

It is called this because it is warded off only with vehement or strong defenses, and also because it arises from great and vehement and strong conjectures, arguments and indications, for instance, with reference to simple heresy, if certain people are found to be hiding those whom they know to be heretics, | bestow favor on them, associate with them, 222B visit them, give them gifts, receive them, defend them, or follow similar practices. Such people are vehemently suspected of heresy, and with reference to the Heresy of Sorceresses they are recognized as such in a similar way, in that the suspicion arises that they are participating with them in the crime, and they are especially notorious. In this, men behave like women in that they use sorcery for the purpose of irregular love or hatred, though they otherwise have no propensity to harm humans or domestic animals. As has already been mentioned, those who follow similar practices in connection with any heresy are vehemently suspected, as is explained by the cited Chapter "*Accusatus*" in § "*Illo vero*" and by the notes made by the Archdeacon, since there is no doubt that they are doing such things in favor of that kind of heretical depravity.

The third kind of suspicion. This is the greatest kind, and in law it is called "violent" in Chapter "*Cum contumacia*" and in Chapter "*Accusatus*" (*Liber Sextus*, "Heretics"). This is explained by the notes made by the Archdeacon and John Andreae on the word "*vehemens*" in Chapter "*Accusatus*," where they say, "It says 'vehement' and not | 'violent' (above 222C in the Title 'Presumptions,' Chapter '*Litteras*')." The Canon speaks of this kind of suspicion (34, "*Quorundam*").[338] This presumption or suspicion is called violent, both because by violence it forces, compels and obligates the judge to believe, and can be refuted with no sort of retraction, and because it arises from violent, convincing and compelling conjectures. For example, with reference to simple heresy, if some people are found to have worshipped heretics, that is, to have offered reverence to them, to have taken consolation[339] or communion from them, or to

[337] The exact attribution of all these quotations is left somewhat unclear. The passage ends with *hec ibi* ("these things there"), which is a way of indicating the end of a quote, but the words actually refer to the end of the quote from Eymeric, which is not marked out as such. Thus, a reader of the Latin would be left in some doubt as to which quote was ending and who was citing whom.

[338] There is such a canon, but it hardly seems relevant. (It concerns the censure and possible excommunication of a young bishop who is overly fond of hunting and overly familiar with his own daughter; there is no mention of suspicion, as the pope who wrote the text is writing back to the archbishop who had informed him of the bishop's malfeasance.)

[339] A technical term for a ritual in Catharism that resembled the Catholic mass.

have committed other crimes that form part of their ritual, such people are convicted through violent suspicion of heresy and of believing in heretics by Chapters "*Filii*" and "*Accusatus*" (*Liber Sextus*, "Heretics") and by the notes made by the Archdeacon on the word "*Credentes*" in Chapter "*Quicumque hereticos*" (*Liber Sextus*, same title), since there is no doubt that they do such things as part of their belief in heretical depravity.

In the Heresy of Sorceresses, those who commit the crimes that form
222D part of the ritual of sorceresses are treated in a similar way. | These crimes are varied. For instance, they sometimes commit them only with insulting words, when they say, "You will soon see what will happen to you," or words to the same effect, or sometimes only with touch, when they touch a person or beast with their hands, or only by sight, when they reveal themselves during the night-time or daytime to certain people who are sleeping in their bedrooms (when they are striving to affect humans or animals with sorcery). They follow various other methods with reference to hailstorms, offering themselves in other ceremonies and engaging in different behavior by a river, as was explained[340] in earlier sections on the topic of the methods of inflicting acts of sorcery. When the general rumor is worked up at the time of their discovery, such people are clearly convicted by violent suspicion concerning the Heresy of Sorceresses, especially in a situation where the effect ensued in terms of an act of sorcery, whether immediately or over the course of time. In that case, there is the coincidence of the evident deed, or of indications of the deed, when devices for sorcery are found deposited in some location. The passage of time is not, however, such an aggravating factor in terms of evidence of the deed, but she remains vehemently suspected by a fortiori reasoning to a greater extent than is the case with simple heresy.[341]

223A If it is asked whether | the Devil can affect humans or domestic animals with sorcery without the sight or touch of women, the response is that he clearly can if God gives His permission, but because the permission of God is greater when by means of a renunciation of the Faith a creature

[340] The topic of causing storms was treated in Pt. II, Q. 1, Ch. 15 (144C–148A), but there is no mention there of activity by a river. Given the reference to "ceremonies" here, perhaps this reference has something to do with the sexual relations with demons which were admitted to by one of the accused at Ravensburg and which are noted emphatically in the text (146B).

[341] The reason why the acts leading to a vehement suspicion are a fortiori more indicative of the Heresy of Sorceresses compared to regular heresy is presumably that whereas the examples of the latter, like showing reverence to heretics, may imply heretical beliefs without actually being in and of themselves heretical, the supposed acts of the Heresy of Sorceresses are an inherent part of the heresy.

dedicated to God co-operates in further horrible crimes, the Devil greatly prefers this method of affecting creatures with sorcery. Indeed, it can in fact be said that even if the Devil could do so without a sorceress, it is still his greatest desire to carry out such practices through a sorceress, as was explained in earlier sections.[342]

In summation of the issue at hand concerning the methods of passing judgment on the basis of presumptions, it should be said that with reference to the distinction mentioned above,[343] those suspected of the Heresy of Sorceresses consist of three kinds, some being suspected lightly, some vehemently, and some violently.

Those lightly suspected are those whose practices along these lines are moderate or light, so that as a result of them a moderate or light suspicion of this heresy arises against them. Although, as has been said, when someone is found suspect in this way, he should not be considered a heretic, canonical purgation should still be enjoined upon him, or abjuration for a light offense should be imposed upon him. In fact, that purgation | can be enjoined on him is stated in the beginning of the first Chapter "*Excommunicamus*" (*Extra*, "Heretics"), where it says, "As for those who are found worthy of censure only through suspicion" (Hostiensis says, "by probable suspicion, that is, by a light suspicion that is lightly[344] visible") "unless, in a manner consistent with considerations of the suspicion and the quality of their person, they demonstrate their own innocence with suitable purgation, they should be stricken with the sword of anathema[345] and should be avoided by everyone until they provide due satisfaction. Hence, if they remain in a state of excommunication for a year, they should then be condemned as heretics." (Note that once purgation has been enjoined on him, then whether he agrees or not and whether he fails or not, judgment is to be passed in exactly the same way as would be the case with someone with a bad reputation for heresy, upon whom canonical purgation is to be enjoined.) 223B

That abjuration can be imposed on such a person for being lightly suspected of heresy is made clear by the beginning of Chapter "*Accusatus*," where it says, "If a person who was accused or suspected of heresy, because a great and vehement suspicion of this had arisen against him, abjured this heresy in court and | later committed an offense 223C

[342] See esp. 126B.
[343] 221A.
[344] In Latin, "lightly" (*leviter*) can also mean "easily."
[345] Technical term for the official declaration of excommunication.

relating to that heresy, he ought by a fiction of the law to be considered relapsed, although before his abjuration the charge of heresy had not been proven against him. If, on the other hand, the suspicion was moderate and light, although he should not be punished on this basis, he still ought to be punished with the penalty for those who have relapsed into heresy."

Some people are vehemently suspect, and these are those who perform such vehement and strong acts that from them there arises a vehement and strong suspicion. These people are not heretics and should not be condemned as heretics, because, as is explicitly stated in *Extra*, "Presumptions," Chapter "*Litteras*," § "*Quocirca*," no one is to be condemned for so great a crime in light of vehement suspicion. (The text says, "Therefore, We order that since it is not Our wish that he be condemned for so serious a crime because of a mere suspicion, even if it is vehement.") Nonetheless, someone so vehemently suspected ought to be ordered to make an abjuration of every heresy in general and in particular against the
223D heresy about which he has come to be | strongly suspected, according to the beginning of the cited Chapter "*Accusatus*," as has been mentioned, and the Chapter "*Inter sollicitudines*" (*Extra*, "Canonical Purgation") and the Chapter "*Litteras*" (*Extra*, Title "Presumptions").

If he later relapses, into either the original heresy or another one, or associates with, visits or brings home those whom he knows to be sorcerers or heretics, or consults them by giving gifts, or sends gifts, or bestows favor on them, he will not escape the penalty for the relapsed according to the cited Chapter "*Accusatus*," where it says the following: "As for the person who has committed an offence in connection with a single form of heresy or sect or has erred in terms of a single article of the Faith or a Sacrament, and later abjured heresy in a simple or general way, if he later commits an offense in terms of a different form or sect or a different article or Sacrament, it is Our desire that he should be judged as one who has relapsed into heresy. Therefore, as for a person about whose lapse into heresy there had been general agreement before the abjuration, or there now is such agreement, if after that abjuration he receives, takes home, visits or associates with heretics, or gives or
224A sends presents to them, | or bestows favor on them . . . " and below it continues, "he should be rightly judged to have relapsed, since on the basis of the error previously demonstrated by him there is no doubt that he did this."

From these words it is clear that in three situations the person vehemently suspected of heresy in general is punished with the penalty for

the relapsed after he has made an abjuration. The first is when he relapses into the same, original heresy for which he had been vehemently suspected. The second is when he has abjured heresy in a simple and general manner and yet relapses into another heresy, even though it is granted that he had never been considered suspect or denounced for it previously. The third is when he receives heretics, brings them home, and bestows favor on them. This circumstance encompasses many situations and has many variants, as is clear in the cited § "*Eum vero*" in the quite frequently repeated Chapter "*Accusatus*."

It is asked what should be done if such a vehemently suspected person does not immediately agree[346] to make an abjuration at the command of his judge: should he be handed over to the discretion of the secular power for punishment with due penalty according to the § "*Praesenti*" in Chapter "*Ad abolendam*"? The response is, | certainly not, because that 224B
chapter and section are explicitly speaking of those who are suspected but not manifestly caught in heresy and so on, and more stringent action should be taken against those who are manifestly caught than against those who are merely suspected.

If it is asked how the proceedings should be conducted against such a person, the response is that such proceedings will follow § "*Qui vero sola suspicione*" (cited above) of the first Chapter "*Excommunicamus*." He will be excommunicated, and if he remains in this state of excommunication for a year, he should be condemned as a heretic according to that chapter.

Some people are violently suspected, and these are those who carry out such violent[347] acts that a violent suspicion arises against them on the basis of these acts. Such a person is to be considered to be a heretic, and judgment should be passed against him as it would be against someone caught in heresy according to § "*Qui vero*" of the first Chapter "*Excommunicamus*" (*Extra*, "Heretics"), Chapter "*Cum contumacia*" and the Chapter "*Ut officium*" (*Liber Sextus*). They either confess the crime or they do not. If they do and wish to return to the church and to abjure heresy under penance, they are to be received according to Chapter "*Ad abolendam*" and § "*Finali*" of the second Chapter "*Excommunicamus*." If they do not agree to make the abjuration, they are to be handed over to the secular court | to be punished with 224C
the due penalty according to the first paragraph cited from Chapter "*Ad abolendam*." If they do not confess the crime, after he has been

[346] The printed text omits the negative from Eymeric, and so reads "agrees to make an abjuration," but there seems to be no reason to think this change intentional.

[347] Obviously not literally violent but violently suspicious; an unsuccessful play on words.

convicted without agreeing to make the abjuration, he is to be condemned as an impenitent heretic according to Chapter "*Ad abolendam*." For violent suspicion suffices for condemnation and allows no proof to the contrary, as is stated in *Extra*, "Presumptions," Chapters "*Litteras*" and "*Afferte*."

This discussion is relevant in the case of simple heresy without any evidence or indication of the deed, as will be explained on the topic of Method Six[348] of passing sentence, where someone is condemned as a heretic even if he is not one in fact. How much more is this the case in a situation involving the Heresy of Sorceresses, where there is always the coincidence of either the evident deed in terms of children, humans or domestic animals affected by sorcery or an indication of the deed, for instance, the discovery of devices! In the case of simple heresy, those who are penitent and make an abjuration under penance or life imprisonment are received into the church, as has been mentioned. In the case of the Heresy of Sorceresses, however, although the ecclesiastical judge receives them, so to speak, under penance, the civil judge can nonetheless inflict the death penalty because of the crimes involving
224D temporal losses,|and the ecclesiastical judge cannot impede him.[349] The ecclesiastical one cannot hand the person over for punishment, but he can abandon him.[350]

[Note on Sources
Major identified source for Q. 19:
Eymeric, *Dir.* 2.55]

## question twenty: method one of passing sentence

THEREFORE, the denounced person:
- is found innocent and is to be totally absolved,[351] or
- is found merely to have a bad reputation in general for heresy,[352] or
- is found, in addition to the bad reputation, to be subject in some way to being exposed to questioning under torture,[353] or
- is found lightly suspected of heresy,[354] or

[348] Q. 25 (232A–234C).
[349] Cf. 236D with n. 432.
[350] For an explanation of the distinction between "handing over" and "abandoning," see n. 69.
[351] Method 1 in Q. 20 (225A–D).
[352] Method 2 in Q. 21 (225D–227B).
[353] Method 3 in Q. 22 (227B–228D).
[354] Method 4 in Q. 23 (228D–230A).

is found vehemently suspected of heresy,[355] or
is found violently suspected of heresy,[356] or
is found to have a bad reputation for heresy and to be at the same time commonly suspected of it,[357] or
is found to have confessed heresy and to be penitent but not truly relapsed,[358] or
is found to have confessed heresy and to be penitent but probably relapsed,[359] or 225A
is found to have confessed and to be impenitent but not in fact relapsed,[360] or
is found to have confessed heresy and to be impenitent and in fact relapsed,[361] or
is found not to have confessed but to be convicted of heresy through lawful witnesses and by other judicial means,[362] or
is found to be convicted of heresy but to be a fugitive or to be contumaciously absent,[363] or
is found to have been denounced by another sorceress who is to be or has been burned to ashes,[364] or
is found not to have inflicted acts of sorcery but to have broken them through unlawful remedies and unsuitable means,[365] or
is found to have inflicted fatal wounds as a sorcerer archer or enchanter of weapons,[366] or
is found to have dedicated babies to demons with a hostile curse as a sorceress midwife,[367] or
is found to be seeking protection through the frivolous or fraudulent use of the remedy of appeal.[368]

[355] Method 5 in Q. 24 (230A–231D).
[356] Method 6 in Q. 25 (232A–234C).
[357] Method 7 in Q. 26 (234C–236B).
[358] Method 8 in Q. 27 (236B–238A).
[359] Method 9 in Q. 28 (238A–240C).
[360] Method 10 in Q. 29 (240C–241C).
[361] Method 11 in Q. 30 (241C–242C).
[362] Method 12 in Q. 31 (242D–245A).
[363] Method 13 in Q. 32 (245B–248B).
[364] Method 14 in Q. 33 (248B–251B).
[365] Method 15 in Q. 34 (251B–252C).
[366] Treated as an incidental topic in Q. 34 (252D, 254B). Associated with this topic is a treatment of aiders and abettors, but no notice is taken of this here (or in the specific table of contents in 225A).
[367] Treated as an incidental topic in Q. 34 (252C, 254B–C).
[368] Q. 35 (255A–258C); though given here (and in the introductory table of contents, 6D) as the last method, there is no numeration in the text.

If the person is in fact found totally innocent, the definitive sentence should be passed on this person in the following manner. It should
225B be noted at this point that the denounced person | is found totally innocent in a situation where, after a careful discussion of the merits of the proceedings with a good panel of experts, she is not convicted by her own confession or by evidence of the deed or by the legal production of witnesses (because they differ on the main point) and this person was not otherwise suspected and did not have a bad public reputation for this crime (it would be different if she had a bad reputation for some other crime),[369] and there are also no indications of the deed against this person. Concerning such a person the following procedure is followed, and the person is to be absolved by the bishop or judge with a sentence of the following content.

"We, (Name), by God's mercy Bishop of Such-and-Such town (or judge Such-and-Such and so on) noted that you, Such-and-Such from Such-and-Such place and of Such-and-Such diocese, were denounced to us for such-and-such heretical depravity, namely that of sorceresses, and noted that these charges were such that we neither could nor should have let them pass with conniving eyes. Therefore, we resorted to conducting an inquisition into whether the aforesaid charges were based upon the
225C truth, receiving witnesses, examining you, and doing other things | that were fitting according to the sanctions of the Canon. Accordingly, having seen and carefully examined all the transactions and dealings in this case, having held a panel of men expert both in the law and in the faculty of theology, and having recalled it several times, we are now sitting in tribunal in the manner of judges passing judgment, keeping before our eyes God alone and the truth of the case, with the Sacrosanct Gospels placed in our presence so that our judgment may come forth from the face of God and our eyes may see fairness, and will proceed to our definitive sentence in the following manner, invoking the name of Christ. Whereas by all the things that we have seen and heard and that have been brought forward and offered, transacted and proceeded with before us, in the present case we do not find that anything has been legally proven against you concerning the matters for which you were

[369] This parenthetical comment has been added to the material from Eymeric. Apparently, having a reputation for any sort of questionable behavior is sufficient to make one a suspect in the Heresy of Sorceresses, unlike the situation with other heresies.

denounced before us, we pronounce, declare and give as our definitive sentence against you that no legal transaction has taken place before us on account of which you can and should be judged to be a heretic or sorcerer or should be considered to be suspected of heretical depravity in any way. Hence, from this moment we release you totally from | this 225D
inquisition and court. This sentence was passed" and so on.[370]

Care should be taken that it is never stated in any sentence that the denounced person is innocent or blameless, but only that nothing was proven legally against him, because if he is again denounced afterwards in the course of time and the charge is then legally proven, he can be condemned regardless of the sentence that absolved him. Note also that someone is to be absolved in the same way when he has been denounced for receiving, defending or otherwise abetting heretical depravity and nothing is proven against him legally.

The secular judge acting by episcopal delegation will pass judgment after his own fashion.

[Note on Sources
Major identified source for Q. 20:
Eymeric, *Dir.* Pt. 3 "Method 1 of ending a process involving the Faith" (*de primo modo finiendi processum fidei*)]

## question twenty-one: method two of passing sentence on a denounced woman who merely has a bad reputation

METHOD Two of passing sentence is when the denounced man (or woman) is found, after a careful examination of the merits of the proceedings with a good panel of experts, to have a bad reputation for such heresy in some village, city or province, that is, when this denounced person is not convicted by his own confession or by evidence of the deed or by the lawful production of witnesses, and there are no | indications 226A
proven against him at all except precisely this bad reputation, so that no act of sorcery in particular is proven to have been committed. Such an act can serve as proof in a situation of vehement or violent suspicion, when the person threateningly uttered words about inflicting harm, saying in meaning or sense, "Soon you see what things will happen to you," and

[370] The time and location would then be added.

later some effect ensued in terms of harm to bodies[371] or to domestic animals.

Therefore, in the case of someone against whom nothing is proven except precisely the bad reputation, the following procedure is to be followed. In such a situation, the sentence that can be passed for the denounced person is not one absolving him, as was discussed on the topic of Method One, but one imposing canonical purgation on him. Therefore, the bishop (or his official) or the judge should first note that in a case of heresy, it makes no difference that someone should have a bad reputation only among good men and serious persons, and instead, attention is paid in this case to his having a bad reputation among any base and simple folk. The reason is that since someone can in fact have a bad reputation among those by whom he can be accused on a charge of heresy, and a heretic can be accused by any persons at all (only mortal
226B enemies are excluded, as was explained above |),[372] a person can have a bad reputation among those people.[373]

The bishop (or the judge) will, therefore, pass sentence in a situation involving canonical purgation in the following or a similar manner:

"We, (Name), by God's mercy Bishop of Such-and-Such city (or judge of Such-and-Such lord), consider that after a careful examination (and so on) of the merits of the proceedings conducted by us against you, Such-and-Such of Such-and-Such diocese, who have been denounced to us for such-and-such heretical depravity, we do not find you to have confessed or to have been convicted of the aforementioned stain, or to be otherwise suspected even lightly of it, except that we find that you legally and truly have a general bad reputation among both the good and the bad people in Such-and-Such village, city or diocese. Accordingly, in order for this bad reputation to be purged and for you to be of good odor among the congregation of the faithful, we impose canonical purgation upon you in the lawful way, assigning to you such-and-such day of such-and-such month and such-and-such hour of that day. At that time, you are to appear in person before us in order to purge your bad reputation with a group composed of such-and-such a number of people of your estate, these compurgators being people who are Catholic in faith and
226C proven in way of life, who know your behavior and way of life, | not

[371] I.e., of humans.

[372] Q. 5 (198C–199B).

[373] This is a clumsy attempt at a syllogism, though the unfounded first premise is really nothing but a restatement of the conclusion. The practice of accepting the testimony of common people apparently caused the author disquiet, and he felt the need to justify it.

so much at the present time as in the past. We indicate that if you fail in this purgation, we will consider you convicted, as is the desire of the Canon's sanctions."

At this point, it should be noted that when someone is legally found to have a general bad reputation for some heresy and nothing is proven against him except this bad reputation, canonical purgation is imposed upon him, that is, that he should get some men – seven or ten or twenty or thirty depending upon whether his bad reputation is greater or smaller, and in a larger or smaller number of places of greater or lesser importance – who are of his status (estate). Hence, if it is a man under religious vows who has the bad reputation, those who purge him of the crime for which he is defamed should also be men under religious vows, if it is a cleric, they should be clerics, if it is a soldier, soldiers. These compurgators are described as men Catholic in faith and proven in way of life, who know both his behavior and way of life, not so much in present times as in the past, as is stated in *Extra*, "Canonical Purgation," Chapter "*Inter sollicitudines.*"

If he is unwilling to purge himself, he should be excommunicated, and if he endures this excommunication for a year with an obdurate mind, then he should be condemned as a heretic | according to Chapter 226D
"*Excommunicamus itaque*" § "*Qui autem*."

If he decides to purge himself but fails in the purgation, that is, if he does not find to purge him compurgators of the same number and status as he was ordered to, he is considered convicted and in this way is condemned as a heretic, as is stated in *Extra*, "Heretics," first Chapter "*Excommunicamus*" § "*Adiicimus*," phrase "*qui non se*"[374] and "Canonical Purgation," "*Cum dilectus*."

It should also be noted at this point that when it says that the person with the bad reputation is compelled to purge himself with a group of three or four men of his estate, the estate referred to is understood in a general and not a specific sense. Hence, if a bishop is to be purged, it is not to be denied that even though it is a bishop who is to be purged,

[374] This provision appears to be misunderstood by Eymeric. The paragraph of the canon concerns an order that once or twice a year every bishop or archbishop should visit a parish where heretics are reputed to live and compel under oath either a few respectable men or the whole populace to bring to his notice any heretics known to them. The phrase cited here states only that the bishop should then summon the accused and if they do not purge themselves, or, if they do so and then relapse, they are to be punished according to the canon. The next sentence then states that those who refuse the oath are to be treated as heretics. This sentence is presumably what is being referred to here, but it concerns not those who fail in purgation but the would-be informants who refuse the bishop's oath.

abbots and monastic priests should be admitted; the same applies to others (Title "Canonical Purgation," "*Quotiens*").

The person with a bad reputation will purge himself in the following manner, as is gathered from *Extra*, "Canonical Purgation," "*Quotiens*," § "*Porro*" and Chapter "*Accepimus*."

As for the second.[375]

When the deadline assigned to the person with the bad reputation for purging himself in the canonical manner approaches, the person to be purged will appear in person along with his compurgators
227A before bishop and inquisitor[376] in the place | where he is known to have the bad reputation. The person with the bad reputation will hold his hand over a book containing the Gospels that has been set before him and will say the following. "I swear over these four Holy Gospels of God that such-and-such heresy" – he names it – "for which I have a bad reputation I have never held or believed or taught, nor do I now hold or believe it." That is, he will deny under oath that for which he has a bad reputation, whatever it may be. When this has been done, the compurgators will set their hands on the same book containing the Gospels, and each will say the following. "And I swear on these Holy Gospels of God that I believe that he has sworn the truth." In that case, he is purged in the manner prescribed by the Canon.

It should also be noted that the person with the bad reputation is to be purged in the place where he is known to have the bad reputation. If he has a bad reputation in many places, he should be ordered to profess the Catholic Faith publicly in all those places and to make a public declaration of his loathing of the heresy for which he is known to have a bad reputation (*Extra*, "Canonical Purgation," "*Inter Sollicitudines*").

The person who has purged himself in the canonical manner should not be cavalier about it. For if, after the purgation, he falls into the heresy that he has previously purged, he is considered lapsed and as a relapsed
227B person is handed over | to the secular court according to the first Chapter "*Excommunicamus*," § "*Adiicimus*," phrase "*Vel si post purgationem*," and Chapter "*Ad abolendam*" § "*Illos quoque*." (The procedure is different if he falls into a different heresy about which he did not previously purge himself according to the cited chapter.)

[375] The sense of this heading is not self-evident (in Eymeric it reads: "Formula for the canonical purgation to be carried out by someone with a bad reputation for heresy"). Presumably, what is meant is that the actual substance of the second method of passing sentence is about to follow.

[376] Most references to the participation of an inquisitor in the proceedings have been changed to "judge," but sometimes the original version has been left in by accident.

[Note on Sources
Major identified source for Q. 21:
Eymeric, *Dir.* Pt. 3 "Method 2 of ending a process involving the Faith" (*de secundo modo finiendi processum fidei*)]

## question twenty-two: method three of passing sentence on a woman with a bad reputation who is to be exposed to questioning under torture

METHOD Three of bringing to an end and finishing proceedings involving the Faith is when the person denounced for heresy, after a careful consideration of the merits of the proceedings with a good panel of experts, is found to be inconsistent or to have indications against him sufficient for questioning, that is, for him to be exposed to questioning under torture, so that if the person thus questioned concedes nothing, he is considered blameless and innocent. This is when the denounced person is not caught by his own confession or by evidence of the deed or the lawful production of witnesses, and there are no indications sufficient for such suspicion that he has to abjure heresy, but he is nonetheless inconsistent in his confessions or else there are indications sufficient for questioning under torture.

Concerning such a person, the following procedure is to be observed. In such a | situation, because the interlocutory sentence that is to be 227C
passed is against the denounced person and not for him, it should be passed in conjunction with the inquisitor and not separately from him[377] according to Chapter "*Multorum.*" In particular, if he tenaciously persists in his denial and, despite the urging of upright men, is unwilling to confess the truth, a sentence that seems to savor of a definitive sentence will be passed in the manner of the following text.

"We, (Name), by God's mercy Bishop of Such-and-Such city (or[378] judge in the lands subject to the rule of Lord Such-and-Such), note, after a careful examination of the merits of the proceeding conducted by us against you, Such-and-Such of Such-and-Such place and of

377 The original text of Eymeric here reads, "by the bishop and inquisitor jointly and not separately"; it is not clear if the omission of the reference to the bishop here is accidental or intentional.

378 The use of "or" here suggests a violation of normal procedure, which dictates the co-operation of the bishop and inquisitor, as is correctly stated in 228A. But in Eymeric the present passage originally said, "and the inquisitor," and in line with the regular modification carried out in adapting Eymeric this was replaced here (but inadvertently not in 228A) in order to allow for the possibility of a secular judge operating in place of the bishop (with the inquisitor entirely left out of the proceedings).

Such-and-Such diocese, that you are inconsistent in your confessions and that there are nonetheless many indications that are sufficient for exposing you to questioning under torture, and therefore, in order for the truth to be had from your own mouth and for you to cease from then on offending the ears of the judges, as an interlocutory measure we declare, judge and sentence that on the present day at such-and-such hour you should be subjected to questioning under torture.

"This sentence was passed . . . "

227D If the person to be questioned is found to be inconsistent and at the same time there are other indications sufficient for questioning under torture, both will be put in the sentence in the way set out in the previous sentence. If, however, these two criteria do not coincide, but there is only one, that is inconsistency without other indications or other indications without inconsistency, it will be set down in the sentence as it is found.

The sentence passed should be carried out promptly or it should be pretended that it will be. The judge should not be very eager to question someone under torture. Such questioning is inflicted only in default of other proofs, and for this reason he should search out other proofs. If, however, he does not find such proofs and holds it likely that the denounced person is guilty but is denying the truth through fear, then after the good methods that may be considered stratagems have been used in the meanwhile, and his friends have urged him to tell the truth,[379] the judge should apply his industry to getting the truth from his mouth. He should not hurry through the case, since constant reflection amidst the misfortune of imprisonment and the repeated advice of upright men create an inclination to teach the truth. But if, after a suitable period
228A of time, | fittingly extended, has been given to the denounced person and he has been advised repeatedly, the bishop and judge believe in good faith, after considering everything, that the denounced person is denying the truth, they should question him under moderate torture, that is, without the shedding of blood, knowing that questioning under torture is misleading and ineffective. For some people are so soft in heart and crazed that under light torture they grant everything, even any lies at all. Others are so obstinate that however much they may be tormented, the truth cannot be got from them. There are some who have experienced questioning under torture on a different occasion, some of them enduring it better, because their arms are immediately pulled back and bent, while others are weakened and thus endure it less well.[380] There are also others, who have been affected by sorcery and make use

[379] For these procedures, see 211C–212A.
[380] See 215A for a clearer presentation of this thought.

of devices for sorcery during the questioning.[381] These people would die before they confessed anything, since they are rendered practically incapable of sensation. Hence, in using torture it is necessary to act with the greatest prudence and to pay the greatest attention possible to the condition of the person to be questioned in this way.

When the sentence has been passed, the assistants should promptly get themselves ready for questioning the denounced person under torture, and while they are doing so, the bishop (or judge) should, both in his own person and through other good men who are zealots for the Faith, | urge 228B the person to be questioned to make a free confession, even promising to spare his life if necessary, as was discussed above.[382] But if even this method cannot bring him to feel terror or tell the truth, they will be able to assign a second or third day for continuing the torture, but not for repeating it, because torture ought not to be repeated except when new indications against him turn up, in which case they can repeat it. Continuation, on the other hand, is not prohibited.[383] They will, therefore, speak as follows.

"And we, the aforementioned (Name), bishop, and (Name), judge," – if one is present – "assign to you, Such-and-Such, such-and-such day for continuing the questioning under torture, in order for the truth to be wrenched from your mouth." The whole should be put into the protocol.

Before the time assigned to him they should, both in their own person and through other respectable men, urge him to confess the truth. But if he is unwilling to confess, on the day assigned it will be possible for the questioning under torture to be continued. He should in this way be questioned with the same or other kinds of tortures, more strongly or lightly depending on the severity of the sins. The judges will be able to use many lawful stratagems both in words and deeds in order for the truth to be had. These precautions are taught more by experience and practice in the differing circumstances of various cases rather than by someone else's art or training.

When, after he has been suitably questioned and exposed to torture, | he is unwilling to reveal the truth, he should not be tormented further 228C but should be set free.[384] If, however, he persists in the confession and

[381] This reference to sorcery causing silence under torture is in Eymeric, which shows that the notion had a long pedigree and was not an innovation on the part of Institoris.

[382] 212A–C.

[383] Cf. the parallel passage in 212D.

[384] At this point, there is a significant omission from Eymeric, who adds (481 2C), "And if he asks the judges that the matter be finished with a sentence, they will not be able to deny this to him. In that case, the sentence will be passed that regarding such-and-such crime for which he has

reveals the truth, confessing his own sin and asking the Church for forgiveness, then like a person caught in heresy by his own confession but repentant according to Chapter "*Ad abolendam*," § "*Praesenti*," he should make an abjuration, and as the sentence he should be publicly condemned as one so caught in the manner in which those caught in heresy by their own confession are condemned, as will be discussed below on the topic of Method Eight[385] of dealing with people caught like this (see that section).

When he reveals the truth and is not repentant, persisting obstinately in heresy, he will be condemned according to Chapter "*Ad abolendam*" § "*Praesenti*," and after a suitable period of time has been given to him and he has been fittingly advised, he will be handed over to the secular arm to be stricken with the death penalty, in the way that is stated below on the topic of Method Ten.[386] If he has relapsed, he will be condemned by the method that will be discussed on the topic of Method Eleven[387] of bringing an end to a proceedings (see that section).

At this point it should be quite carefully noted that while sometimes the person to be questioned under torture confesses nothing
228D against himself before the questioning | and nothing is proven because of which he can or should abjure heresy or be condemned for it (these are the people who form the subject of discussion here and were just mentioned), at other times the denounced person is caught in heresy or else there are other indications proven against him that result in his having to make an abjuration on the grounds of being lightly or vehemently suspected of heresy but that do not result in his being questioned under torture. But if he goes on denying some things that are not proven, but there are indications sufficient for questioning under torture, and when he is questioned under torture for these matters, he confesses nothing because of the torture, nonetheless she[388] should not be absolved according to Method One. Instead, the proceedings should be conducted in accordance with the matters proven against her. He (if a man)[389] will make an abjuration as a person either suspected or caught, according to

been denounced, after a careful consideration of the merits of the proceedings, it is found that nothing has been proven lawfully against him, as was stated in Method 1 of bringing an end to and finishing the proceedings, which should be looked at."

385 This cross reference is in Eymeric. See Q. 27 (236B–238A).

386 This cross reference is in Eymeric. See Q. 29 (240C–241C).

387 This cross reference is in Eymeric. See Q. 30 (241C–242C).

388 At this point the generalizing masculine used in Eymeric is replaced by the feminine. The change is just as abrupt in the Latin as here in the English.

389 This parenthesis is a clumsy method of indicating the return to the generalizing masculine of the original text.

the dictate of the merits of the proceedings. If, on the other hand, because of the torture he makes a confession about the things that resulted in his being tortured or about some of them, then he will make an abjuration of one or the other, and sentence is to be passed against him for one or the other.

[Note on Sources
Major identified source for Q. 22:
Eymeric, *Dir.* Pt. 3 "Method 3 of ending a process involving the Faith" (*de tertio modo finiendi processum fidei*)]

## question twenty-three: method four of passing sentence on a denounced woman who is lightly suspected

METHOD Four of bringing to an end and finishing proceedings involving the Faith is when the person denounced for heresy, | after 229A a careful examination of the merits of the proceedings with a good panel of legal experts, is found to be only lightly suspected of heresy. This is when the person denounced for heresy is not caught by his own confession or by evidence of the deed or by the lawful production of witnesses, and there are otherwise no strong (vehement) indications against him regarding that form of heresy but ones judged by the panel to be only moderate and light and such that because of them he should, as someone lightly suspected of heresy, abjure as such a person the heresy for which he has been denounced. If such a person relapses, he is not punished with the penalty appropriate for the relapsed, although he would in that case have to be punished more severely than would be the case if he had not previously made the abjuration according to the beginning of Chapter "*Accusatus*" (*Liber Sextus*, "Heretics").

Concerning such a person the following procedure is to be followed. If he is publicly considered suspect, he will make the abjuration publicly in a church in the following manner.

"I, Such-and-Such, of Such-and-Such diocese, inhabitant of Such-and-Such city (or place), have been placed in judgment before you, the Lord Bishop of Such-and-Such city, and touching with my own hands the Sacrosanct Gospels that have been set before me, I swear that I believe in heart and profess by mouth the Holy, Catholic and Apostolic Faith | that the Sacrosanct Roman Church believes, confesses, preaches and 229B follows.

"Also, I swear that I believe in heart and profess by mouth that the Lord Jesus Christ, along with all the Saints, abhors the most wretched Heresy of Sorceresses, and that all those who follow or adhere to it will be tormented with eternal flames along with the Devil and his angels,[390] unless they come to their senses and are reconciled to the Holy Church through penance.[391]

"Consequently, I abjure, renounce and retract that heresy of which you, my Lords Bishop and official, hold me suspect, namely that I maintained familiarity with sorceresses, ignorantly defended their error, hated the inquisitors, and the persecutors of the sorceresses, or that I did not reveal their crimes.[392]

"Also, I swear that I never believed or believe this heresy, or adhered or adhere to it, or will ever believe or adhere to it, or taught it or intend to teach it.

"If I ever do commit any of these acts, which God forbid, I submit myself readily to the penalties of the law appropriate for one who makes such an abjuration, being prepared to endure every kind of penance which, in light of these acts or words of mine for which you justly
229C consider me suspect, you will wish to enjoin upon me. I swear | that I will carry out the penance to the best of my abilities and will in no way obstruct it.

"So help me God and these Sacrosanct Gospels!"

This abjuration should be performed in the vernacular, so that it can be understood by everyone. When it is finished, the judge (if present) or official can tell him publicly in the vernacular the following words or ones of similar meaning.

"My son (daughter), as for the suspicion which we had about you and for which you not unreasonably made an abjuration and by abjuring

[390] I.e., demons, who are fallen angels.

[391] In Eymeric, the abjuror has to state some article of Catholic dogma that he is suspecting of rejecting, and the example given is the belief that Jesus and his disciples held property in common in this world and were able to give away, sell and alienate it. (Belief in the absolute poverty of Jesus and the disciples was a tenet of the "spiritual" Franciscans, for which they were condemned as heretics under John XXII; see n. 64). In the *Memorandum* these provisions are changed to have the abjurors state that "all heretics who have different beliefs about the articles of the Faith and about the Sacraments of the Church, unless they come to their senses, are damned eternally" (477). The abjuror then specifically abjures the Heresy of Sorceresses, "which is harmful to the Catholic Faith, humans, domestic animals and the fruits of the earth, along with its other most foul and unspeakable works."

[392] At this point in Eymeric, the abjuror simply repeats the article about the poverty of Jesus and the disciples. For Institoris's run-in with a suspected sorceress in Innsbruck who rejected his teachings on the matter (and who may well be the inspiration for this form of abjuration), see Pt. II n. 433.

purged yourself, in future you should make sure for your own good that you do not fall into this heresy which you have abjured. If you repent, you will not be turned over to the secular arm, since you made the abjuration as one suspected lightly and not vehemently, but in that case you will be punished much more strongly than would be the case if you had not made the abjuration, and then you will be considered to be a vehemently suspected woman rather than a moderately suspected man.[393] Then, in the situation where you made an abjuration as such a person and will again lapse into sin, you will be punished with the penalty appropriate for those who have relapsed and you will be turned over without mercy to the secular court to be stricken[394] with the death penalty."

If he makes the abjuration in secret in the bishop's hall or in the judge's, that is, when the act is not done in public, he will make the abjuration in a similar manner.[395]

When the things are completed, the sentence will be passed in the following manner.

"We, by God's mercy | Bishop of Such-and-Such city (or judge – if 229D
he is present – in the lands subject to the rule of Lord Such-and-Such), note that after seeing and carefully considering the merits of the proceedings conducted by us against you, Such-and-Such, who have been denounced to us for heretical depravity, we find that you have committed such-and-such and such-and-such acts" – these should be listed – "which render you lightly suspected of heresy. Because of them we rightly hold you to be such and make you, as someone lightly suspected of the aforementioned stain, abjure that heresy. In order that the crimes committed by you should not remain unpunished and in order that you should be made more cautious in future, on the mature and considered advice of the panel of many great legal experts and men under religious vows that was convened regarding and concerning these matters, and having before our eyes God alone and the irrefutable Truth of the Holy Catholic Faith and having placed the Sacrosanct Gospels before

[393] Confusingly, at the end of this sentence one adjective ("vehemently suspected") is converted to the feminine while the other ("moderately suspected") is left in the generalizing masculine used in Eymeric, and the translation reflects this imperfect adaptation.

[394] Up to this point the generalizing masculine has been retained from the original, but all of a sudden this adjectival form becomes feminine.

[395] The adaptation of the source material makes little sense here, in that Eymeric distinguished between a secret abjuration in the bishop's palace and one in the chamber of the inquisitor. The reference to an inquisitor has been changed to one mentioning a secular judge, but no secular judge passes a sentence that the accused should make an abjuration (in secret or otherwise)!

us, in order that our judgment may come forth from the face of God and that our eyes may see only fairness, sitting before the tribunal in the manner of judges passing judgment, we condemn you, Such-and-Such,
230A who are placed in judgment before us, | and sentence you, or rather sentence you to penance, in the following manner. From now on you should never knowingly have, associate with, defend by words, read or hold such-and-such[396] and you should not then" and so on (the crimes for which she was considered suspected of this heretical depravity should be listed).

"This sentence (or sentence to penance) was passed . . . "

The notary should make sure that he writes down in the protocol that this abjuration was made by someone considered lightly and not vehemently suspected of heresy. Otherwise, there could be great danger.

[Note on Sources
Major identified source for Q. 23:
Eymeric, *Dir.* Pt. 3 "Method 4 of ending a process involving the Faith" (*de quarto modo finiendi processum fidei*)]

## question twenty-four: method five of sentencing a woman vehemently suspected

METHOD Five of bringing an end to and finishing proceedings involving the Faith is when the woman denounced for heresy, after a careful examination of the merits of the proceedings with a good panel of legal experts, is found to be vehemently suspected of heresy. This is when the woman denounced for heretical depravity is not found to be legally caught by her own confession or by evidence of the fact or by the lawful production of witnesses, but there are great and serious indications proven against her, ones that are judged by the panel
230B to be such that they render her | vehemently suspected of heretical depravity.[397]

Concerning such a person, the following procedure is to be followed. He ought to abjure this heretical depravity as someone suspected of such heresy, so that if he later relapses, he is punished with the penalty

[396] This clause has been garbled through clumsy adaptation of Eymeric, who wrote, "read or have (hold) such-and-such book." An attempt has been made here to convert the phrase into a reference to association with heretics ("associate with, defend by words"), but while the word "book" is omitted, the verbs that went with it have been left in.

[397] In this paragraph alone the many generalizing masculine adjectives used in the original text to describe the accused are made feminine. The masculine is retained in the rest of the section.

appropriate for the relapsed. That is, he will be handed over to the secular arm to be stricken with the death penalty according to the beginning of Chapter "*Accusatus*" (*Liber Sextus*, "Heretics"). He will make a public or private abjuration depending on whether he is publicly or privately considered suspect and whether among a greater or lesser number of people and whether they are of great or light importance, as was just stated[398] concerning the person who was lightly suspected of heresy, and he has to abjure heresy as such a person.

The method of making arrangements for the abjuration is the following. When the Sunday for making the abjuration and for hearing the imposition of sentence (penance) upon the person who is to make the abjuration approaches, the preacher[399] will make a general sermon. After this is done, the acts for which the person to make the abjuration is convicted, and the others as a result of which he is vehemently suspected of heresy, should be read in public by the notary or a cleric. Afterwards, the judge or the official will say to him, "Oyez! On the basis of the acts that have been read out here, you are vehemently suspected of this heresy in our eyes,| and therefore it is necessary for you to purge yourself 230C
and to abjure this heresy." Then, there will be placed before the person to make the abjuration a book containing the Gospels, and he will place a hand over it. If he knows how to read proficiently, the following abjuration will be handed to him in writing and he will read it before the entire congregation. If he does not know how to read proficiently, the notary should read the text at a deliberate pace and the person to make the abjuration will repeat it in a loud and comprehensible voice in the following manner. The notary or cleric will say, "I, Such-and-Such from Such-and-Such place," and the other will repeat it verbatim; the one will say, "am placed in judgment" and the other will repeat verbatim (in the vernacular); and so on until the abjuration is finished. He will make the abjuration according to the following text.

"I, Such-and-Such from Such-and-Such place, of Such-and-Such diocese, have been in person placed in judgment before the Lord Bishop of Such-and-Such city and Lord Such-and-Such, the judge in the lands subject to the rule of Lord Such-and-Such, and touching bodily with my own hands the Sacrosanct Gospels that have been placed in my presence, I swear that I believe in heart and profess by mouth the Holy,

[398] 229A, C.

[399] Eymeric indicates that this sermon would be made by the inquisitor who is conducting the inquisition with the bishop, but since the role of the inquisitor is being eliminated here, the person who gives the sermon is changed vaguely into a "preacher."

Catholic and Apostolic Faith that the Apostolic Roman Church teaches,
230D professes, preaches, | and holds.

"Also, I swear that I believe in heart and profess by mouth that" and so on.

The Catholic article whose violation causes him to be vehemently suspected should be expounded. For instance, if he is suspected of the Heresy of Sorceresses, the text will be the following. "I swear that I believe that not only will simple heretics or schismatics be tormented with eternal flames, but above all those tainted with the Heresy of Sorceresses, who renounce to demons the Faith that they received in the Sacred Font of Baptism and engage in the Devil's disgusting acts in order to fulfill their base desires, inflicting injuries on humans, domestic animals and the fruits of the earth.[400]

"Consequently, I abjure, renounce and retract that heresy, or rather breach of the Faith, that falsely and mendaciously claims that there is no sorceress on earth and that no one should believe that they can inflict injuries with the help of demons, since this kind of lack of Faith explicitly contradicts, as I now realize, the determination of Holy Mother Church and of all the Catholic Doctors and the laws of the Empire, which have decreed that such women should be burned up.[401]

"Also, I swear that I never believed" – add "obstinately[402]" – "in this
231A heresy and | that I do not believe in it now and will not believe it, and that I do not adhere to it at present or intend to, and that I did not teach it and do not intend to do so and will not do so.

"Also, I swear and promise that such-and-such and such-and-such acts" – they should be stated – "because of which you consider me vehemently suspected of heresy of this kind, I will never do or see it to that they are done.

[400] This abjuration about the Heresy of Sorceresses has been inserted in place of the example used in Eymeric, which concerned the "procession of the Holy Spirit from the Father and the Son." This refers to one of the two major disagreements between the Catholic and Orthodox Churches (the other being the papal primacy). In the sixth century, the phrase *filioque* was inserted into the Nicene Creed in the West (thereby asserting that the Holy Spirit proceeded from the Son as well as the Father), and while this addition came to be accepted as orthodox in the Catholic Church, it was rejected in the East. The division between Eastern and Western Christianity became permanent with the schism of AD 1054, after which the Catholic Church regarded the Orthodox as schismatic (a schism signifies a withdrawal from the theoretically universal church that is motivated by adherence to heresy). A trace of this reference in the original remains here in the mention of "schismatics."

[401] Once again, the theory of sorcery propounded here in the text is raised to the status of an indisputable article of the Catholic faith.

[402] This phrase is inserted into the original text by Institoris.

"If I do commit any of these acts in the future, which God forbid, I submit myself readily to the penalties appropriate under the law for those who have relapsed, being ready to undergo every kind of penance that, in light of the acts and words of mine for which you consider me vehemently suspected of this heresy, you will decide to impose upon me. I swear and promise to carry it out to the best of my abilities and in no way to obstruct it.

"So help me God and these Sacrosanct Gospels!"

This abjuration should be performed in the vernacular, so that it may be understood by everyone, unless it is done only before ecclesiastical persons who understand the Latin language proficiently. If, on the other hand, he makes the abjuration privately, that is, in the palace of the bishop or in his hall, that is, when the act is not performed in public, he will make the abjuration in a similar manner.

When this abjuration is complete, the judge will advise | him, as 231B
stated above,[403] that he should not, by relapsing, incur the penalty for the relapsed.

The notary should make sure that he writes down in the record how "such-and-such abjuration was made by Such-and-Such as by someone vehemently suspected of heresy," the purpose being that if he relapses, it would be known how he should be punished, because it would be with the penalty appropriate for the relapsed.

When these things are completed, the sentence (penance) will be passed in the following manner.

"We, (Name), Bishop of Such-and-Such city, and" – if present – "Brother[404] (Name), specifically delegated by the Holy Apostolic See as the inquisitor of heretical depravity in the lands subject to the rule of Lord Such-and-Such, note that you, Such-and-Such from Such-and-Such place and of Such-and-Such diocese, committed, as is legally apparent to us from the careful examination of the merits of the proceedings, such-and-such and such-and-such acts, because of which we rightly consider you to be vehemently suspected of such-and-such heresy, so that we have, by the advice of our great panel of legal experts and at the urging of justice, made you make an abjuration as someone suspected in this way. In order that you should be made more cautious for the future, that you should not be rendered more prone to perform

[403] 229C.

[404] In this instance, the change of Eymeric's reference to an inquisitor into a reference to a judge (or judges), which is regularly made elsewhere, has been inadvertently neglected.

similar acts and that the crimes should not remain unpunished, so that
231C you may serve as | an example to other criminals, by the mature and well-considered advice of the panel that was convened regarding and concerning these matters and that consisted of many great legal experts in law and of masters (doctors)[405] in the faculty of theology, sitting before the tribunal in the manner of judges passing judgment, having before our eyes only God and the truth of the Holy, Catholic and Apostolic Faith and with the Sacrosanct Gospels placed before us, in order that our judgment may come forth from the face of God, we condemn in the form that follows, or rather sentence to penance, you, Such-and-Such, who are in person placed here in our presence. You should not hereafter presume to do or say or teach such-and-such and such-and-such things." The things he is convicted of having committed that resulted in him being considered vehemently suspected of this heresy should be set down along with any other things for which, if he commits them, he would easily incur relapse. Other injunctions should be imposed upon him as the circumstances of the case demand and dictate, such as that he should never knowingly maintain such-and-such practices and that he should not receive those whom he knows he has abjured, and the like.

"This sentence was passed . . . "

231D It should be noted that those suspected of heresy | and not caught, whether they are suspected vehemently or lightly, should not receive life imprisonment (immuration),[406] because this is the penalty for those who were heretics and afterwards repented, as is made clear in the second Chapter "*Excommunicamus*" (*Liber Sextus*, "Heretics"), but they can, because of the crimes for which they are considered suspect, be relegated to prison for a fixed period and afterwards, as is thought fit, this may be dispensed with according to Chapter "*Ut commissi*" (*Liber Sextus*, "Heretics").

Those suspected in this way should not be marked out with crosses.[407] For crosses are the sign of a repentant heretic, but those who were suspected were not considered heretics, and so should not be marked

[405] The title for the higher degree in theology varied from university to university.

[406] While imprisonment is not considered unusual as a form of punishment in the modern world, in the Middle Ages is was exclusively a form of ecclesiastic penalty. The sentence of immuration (literally, "walling in") was not intended as a form of punishment per se but was meant to isolate the penitent from society and compel him to think about (and repent for) his crimes against God (and the church).

[407] I.e., forced to wear clothing with a cross sewn onto it as a public mark of being a convicted heretic (for this procedure, see 234B).

out in this way. It can, however, be enjoined upon them that they should stand on specific solemn days at the doors of specific churches or at the altar, when the Rites of the Mass are celebrated, holding in their hands a burning candle of a specific weight, or that they should go on pilgrimage and the like, as circumstances of the case require and demand.

[Note on Sources
Major identified source for Q. 24:
Eymeric, *Dir.* Pt. 3 "Method 5 of ending a process involving the Faith" (*de quinto modo finiendi processum fidei*)]

## question twenty-five: method six of passing sentence on a denounced woman who is violently suspected

METHOD Six of bringing an end to proceedings involving 232A
the Faith is when the person denounced for heretical depravity, after a careful examination of the merits of the proceedings with a good panel of legal experts, is found to be violently suspected of heresy. This is when the denounced person is not found to be legally caught by his own confession or by evidence of the deed or by the lawful production of witnesses, but there are indications that are not merely light or vehement but very strong and very violent ones that rightly render the denounced person violently suspected of this heresy and because of which such a person ought to be judged as someone violently suspected of this heresy.

In order for this method to be more clearly understood, let us give illustrations concerning both simple heresy and the Heresy of Sorceresses. In simple heresy, this would be the case when the denounced person is not found to be legally caught by his own confession and so on as above, but because of something that he said or did. For instance, when after being summoned in a case not involving the Faith he endured excommunication for a year or more, he is now suspected lightly of heresy because this does not lack a disconcerting suggestion of heretical depravity ("Penalties," Chapter "*Gravem*"). If, when summoned to give answer
| concerning the Faith, he does not appear but contumaciously refuses 232B
to do so, he is for this reason excommunicated. In this case, he becomes vehemently suspected of heresy, since the light suspicion turns into a vehement one. If he endures such excommunication for a year with an obstinate frame of mind, then he becomes violently suspected, since the

vehement suspicion turns into a violent one against which no defense is admitted. Indeed, from then on such a person is to be condemned as a heretic, as is explained in Chapter "*Cum contumacia*" (*Liber Sextus*) and the notes on that passage.

As for the Heresy of Sorceresses an illustration of violent suspicion is provided when she said or did some things that are practiced by sorceresses when they wish to affect someone with sorcery. It is a common practice that they have to make themselves manifest with threatening words or deeds through sight or touch. (The three purposes[408] of this are that the sin in judges should be aggravated, that the simple folk should be the more easily led astray, and that God should be further offended and give them greater ability to act with savagery against humans.) Hence, she becomes a violently suspected sorceress when she said threatening words ("I will do to you things you will soon feel" or words of similar meaning) and afterwards some effect ensued in the person threatened or someone else. In this case, the suspicion under which she falls is not light, as is the case with those who were suspected because of the close
232C association they had with sorceresses | or who wished to woo someone to irregular love (see above on the topic of the three kinds of suspicion, namely light, vehement and violent).

Now we should look at the kind of procedure that should be followed with such people. Regarding someone violently suspected in simple heresy, the following procedure is followed. He[409] may not in fact be a heretic in that he has no error in his mind and no obstinacy in his will about it, as the Archdeacon notes on the topic of the cited chapter, but he is still to be condemned as a heretic because of the violent suspicion, against which no proof is admitted.

This is how she is condemned as a heretic. If she does not wish to veer back and abjure heresy and render worthy satisfaction, she is handed over to the secular arm to be stricken with the appropriate penalty according to Chapter "*Ad abolendam*" § "*Praesenti*." If she is willing and agrees, she abjures heresy effectively and is relegated to life imprisonment according to the second Chapter "*Excommunicamus*" ("Heretics").

The treatment for the person who is violently suspected of heresy in this way is similar.

The same method would have to be followed in the case of someone violently suspected of the Heresy of Sorceresses, though the manner

[408] I.e., on the part of the demons, who compel the sorceresses to behave in this way.
[409] The text returns to the generalizing masculine used in Eymeric.

of proceeding is milder. It should be noted that | if she persists in her 232D
denial, claiming, as they do, that she did not utter those words in such a spirit but as a result of the vehement emotion to which women are subject, so that the judge does not think that he can sentence her to the flames despite the violent suspicion, then the judge should conduct an inquisition while she is kept in prison, and have an announcement issued asking whether she had had the finger pointed at her for similar acts in the past, and if she did, whether she had a general bad reputation for this heresy. On this basis he can advance the proceedings, so that she should above all be exposed to questioning under torture. If indications about this heresy or the sorcery of silence turn up, for instance, if she does not shed tears and is instead found to be impervious to the torture in that after the torture she is quickly restored to full strength,[410] then he should conduct the proceedings with the stratagems discussed above,[411] where similar matters are treated.

In a situation where everything fails, he should note that if she committed similar acts in the past, then she should not by any means be released, but should be relegated for at least a year to the miseries of prison and its torments, and should be examined very often, especially on the more holy days. If in addition she had a bad reputation, the judge could, according to the discussion above[412] concerning simple heresy, sentence her to be burned, especially because of the increased number of witnesses and because of her having quite often had the finger pointed at her in connection with similar acts or with other acts of sorcery, but nonetheless, | since he wishes to conduct the proceedings in 233A
a pious manner, he should enjoin canonical purgation upon her. That is, she should get twenty or thirty compurgators, and he should conduct the proceedings according to the discussion on the topic of Method Two[413] of passing sentence (indicating to her that if she fails in the purgation, then she will be sentenced to the flames as a guilty person). This is how the judge can conduct the proceedings.

In a situation where she has purged herself, she should then make an abjuration of all heresy subject to the penalty for the relapsed and perpetual penance in the manner that follows on the topic of phrasing the sentence. The method of making arrangements for the abjuration is the same as was discussed on the topics of the preceding Methods

[410] Note the use of "strength" instead of "health" as a means of emphasizing the supposed power of the accused sorceress.
[411] 213A–216A.
[412] 233B.
[413] Q.21 (225D–227B).

Four[414] and Five[415] of bringing an end to proceedings involving the Faith.

Note also that in all the following methods of passing sentence, when the judges wish to conduct the proceeding in a pious manner, they could do so in the manner just mentioned, but because secular judges make use of various methods of their own, conducting their proceedings in a way that is severe and not always fair,[416] no inflexible rule and method can be assigned to them in the way that it can be to the ecclesiastical judge, who can receive the abjuration subject to penance for life in the following manner.

"I, Such-and-Such from Such-and-Such place and of Such-and-Such diocese, have been placed in person before my Lords, the Bishop of Such-
233B and-Such city and the judges, | and bodily touching with my own hands the Sacrosanct Gospels that have been set before me, I swear that I believe in heart and profess by mouth the Holy, Catholic and Apostolic Faith that the Sacrosanct Roman Church holds, professes, believes, preaches and teaches, and I consequently abjure every heresy that rears up against the Holy, Roman and Apostolic Church, and renounce and retract them, whatever sect or error it belongs to.

"Also,[417] I swear and promise that such-and-such and such-and-such acts or words on my part" – they should be listed – "because of which and on the basis of my guilt you consider me violently suspected of this heresy, I will from now on never do or say or have them done.

"Also, I swear and promise that every kind of penance that you will wish to impose upon me for the foregoing I will carry out to the best of my abilities and will not obstruct in any regard.

"So help me God and these Holy Gospels!

"If I act contrary to the abjurations that I have made, which God forbid, from then on I, at the present time with reference to the future,

[414] Q. 23 (228D–230A).

[415] Q. 24 (230A–231D).

[416] In the *Nuremberg Handbook* (12r) Institoris compares his method of convicting on the basis of conjecture favorably to the extraction of a confession after the fashion of secular courts (he cites the example of a man whose execution on the basis of a forced confession took place on the same day that the alleged victim returned to the town where he had disappeared). As an example of excessive torture he cites (8v) the placement of "glowing shoes" (i.e., metal shoes heated to the point of glowing) on the feet.

[417] This formula of abjuration and the immediately following note about the scribe's procedure are directly afterwards repeated in a somewhat varying form. Both versions make exactly the same substantial omissions from the original source (Eymeric), but while the text retained in the second version is practically identical to the original, the first version is somewhat abbreviated. Perhaps there was some uncertainty as to how to handle the original, and after two alternative versions were drawn up, both inadvertently wound up in the text.

bind and obligate myself to the penalties appropriate under the law for the relapsed, so that I will be stricken with them."

The notary should make sure that he writes in the records that this abjuration was made by someone suspected violently of heresy, so that if he is later proven to have relapsed, he will then be judged to be such and be handed over to the secular arm.

"I,[418] Such-and-Such from Such-and-Such place, of Such-and-Such diocese, have been placed in person before you, | my Lords, Such-and- 233C
Such, the Bishop of Such-and-Such city, and the judges in the lands of Lord Such-and-Such, and touching bodily with my own hands the Sacrosanct Gospels that have been set before me, I swear that I believe in heart and profess by mouth the Holy, Catholic and Apostolic Faith that the Sacrosanct Roman Church holds, professes, believes, preaches and teaches, and I consequently abjure, renounce and retract every heresy that rears up against the Holy, Roman and Apostolic Church, of whatever sect or error it is.

"Also, I swear and promise that such-and-such and such-and-such acts or words on my part" – they should be listed – "because of which and on the basis of my instance of guilt you consider me violently suspected of this heresy, I will from now on never do or teach or have them done.

"Also, I swear and promise that every kind of penance that you will wish to impose upon me for the foregoing I will carry out to the best of my abilities and will not obstruct in any regard.

"So help me God and these Holy Gospels!

"If I act contrary to the abjurations or oaths that I have made, which God forbid, I, in the present time with reference to the future, bind and obligate myself to the penalties of the law appropriate for the relapsed, so I will be stricken with them, when it is legally demonstrated that I acted to the contrary."

The notary should make sure that he writes in the records that this abjuration was | made by Such-and-Such as someone suspected violently 233D
of heresy, so that if it[419] is later proven, he will be judged to be a relapsed person who had previously made an abjuration, and as such will be handed over to the secular arm.

When these steps are finished, the judge should absolve him of the sentence of excommunication for the heresy into which he was

[418] Here the second version of the preceding text begins.
[419] I.e., relapse.

considered violently suspected of having fallen, as was the case with the aforementioned heresies.[420] When a heretic has returned[421] and makes an abjuration, he should be absolved of the sentence of excommunication (because every heretic is excommunicate according to the first and second Chapters "*Excommunicamus*" and also the beginning of the Chapter "*Ad abolendam*), and this would also be the case with the person being discussed here, since as a person to be condemned as a heretic, as was discussed before,[422] he is to be absolved of the sentence of excommunication after he makes the abjuration.

When the abjuration has been made, the sentence or sentence to penance will be made in the manner of the following text.

"We, (Name), bishop of Such-and-Such city and" – if present – "Such-and-Such, the judge of Lord Such-and-Such, note that you, Such-and-Such, from Such-and-Such place, of Such-and-Such diocese, were denounced to us regarding such-and-such and such-and-such matters concerning the Holy Faith" – these should be listed – "and that we have conducted proceedings to inform ourselves of these matters, as justice urged, and after carefully examining the merits of the proceedings and all the transactions and dealings in the present case, we find that you have committed such-and-such and such-and-such," – these should be listed – "and for this reason and not unreasonably consider you violently suspected of such-and-such heresy" – these should be listed. "Hence,
234A we have made | you, as someone suspected in this way, make a general and public abjuration of every heresy, as the sanction of the Canon orders us. According to the same regulations of the Canon, every such person should be condemned as a heretic, and you, in adherence to saner council, have returned to the embrace of Holy Mother Church and made an abjuration of all heretical depravity" – as stated before – "and for this reason we have absolved you of the sentence of excommunication to which you were justly held to be bound as being culpably liable to the Church, provided that you have returned to the Unity of the Church with a true heart and unfeigned faith. Therefore, you are from now on counted among the penitent, the Sacrosanct Church receiving you

[420] This sentence is not very clearly written in Eymeric, and the insertion of "just as" (*sicut*), presumably to make sense of it, has not improved matters. The original was probably meant to signify, "... the sentence of excommunication by which he was considered violently suspected of having fallen into the aforementioned heresies," but the defective composition and the addition of *sicut* make the interpretation given to it here uncertain.

[421] I.e., to the church.

[422] The cross reference is from Eymeric; presumably 224B–C is meant.

at present into the embrace of mercy. But it is quite inappropriate to let offences against God pass by unpunished with conniving eyes while punishing injuries to men, since it is a more serious matter to harm God's majesty than a human one, and therefore, in order that your crimes should not serve as an encouragement to others to commit wrong, and in order that you will be made more cautious in future and rendered less prone later to commit these or similar acts, so that in the future world you suffer more lightly, we, the aforementioned bishop and | judge, 234B sitting before the tribunal in the manner of judges passing judgment and having before our eyes God alone and the indisputable truth of the Holy Faith, in order that our judgment should come forth from the face of God and our eyes should see fairness, have convened regarding and concerning these matters a sane and mature panel of experts, and by our sentence as follows we condemn or sentence to penance you, Such-and-Such, who are placed in person in our presence on this day and hour previously assigned to you. First, you should immediately place over all the clothes that you are wearing a dark garment made in the fashion of a monk's scapular cloak,[423] without head cover and having in front and back crosses made of saffron-colored cloth that are three palms long and two wide. This garment you will have to wear over all your other garments for such-and-such period of time," which should be specified: one or two years, or more or less, as dictated by the criminal's guilt. "In any case, in addition to this garment and the crosses, you should stand at the entrance to such-and-such church at such-and-such time for such-and-such length of time, namely on the four main Feasts[424] of the Most Glorious Virgin | (or on such-and-such and such-and-such festivals) at 234C the doors of such-and-such church and such-and-such churches. And by our sentence we condemn you to such-and-such prison permanently (or for such-and-such time)." Penalties that will seem more conducive to the Faith's honor should be set down, attention being paid to the greater or lesser severity of the guilt or to the contumacious attitude of the criminal. The text goes on: "On the basis of our sure knowledge we explicitly reserve for ourselves, as allowed by the regulations of the Canon, the right to lessen, increase, change or revoke this penance in whole or part, as often as we shall think appropriate. This sentence was passed . . . "

[423] The sleeveless scapular was the normal outer garment worn by monks.

[424] Probably, Purification (Feb. 2), Annunciation (Mar. 25), Assumption (Aug. 15) and Nativity (Sept. 8).

When this sentence has been read, he should be immediately handed over for the appropriate execution of sentence and should put on the garment with crosses that was mentioned.

[Note on Sources
Major identified source for Q. 25:
Eymeric, *Dir.* Pt. 3 "Method 6 of ending a process involving the Faith" (*de sexto modo finiendi processum fidei*)]

## question twenty-six: the method of passing sentence on a denounced woman who is suspected and has a bad reputation

METHOD Seven of bringing an end to and finishing proceedings involving the Faith is when the person denounced for heretical depravity, after a careful examination of the merits of the proceedings
234D with a good panel of legal experts, is found to be suspected | of heresy and also to have a bad reputation. This is when the denounced person is not found to be legally caught by his own confession or by evidence of the deed or by the lawful production of witnesses, but he is found to have a general bad reputation and indications are also found against him that render him otherwise lightly or vehemently suspected of heretical depravity, that is, because he had a close association with heretics, like the person who is the topic of discussion in the Chapter "*Inter sollicitudines*" ("Canonical Purgation"). By reason of the bad reputation, canonical purgation is to be enjoined upon such a person, and by reason of the suspicion he ought to make an abjuration of heresy according to the cited Chapter "*Inter sollicitudines.*"

Regarding such a person the following procedure is to be followed. Having a general bad reputation for heresy and, in addition to the bad reputation, being considered suspected of heretical depravity on the basis of other indications, he will first purge himself in public in the method treated on the topic of Method Two.[425] Having completed this purgation, the person with the bad reputation will directly, as one otherwise and on the basis of other indications suspected of the heresy of which he is considered suspected, hold the previously mentioned book containing
235A the Gospels that was placed before him, | and make the abjuration in the following manner.

[425] Q. 21 (225D–227B).

"And I, Such-and-Such, from Such-and-Such place and of Such-and-Such diocese, have in person been placed in judgment before my Venerable Lords, (Name), the bishop of Such-and-Such city and the judge in the lands of Lord Such-and-Such, and holding bodily with my own hands the Sacrosanct Gospels that have been set before me, I swear that I believe by heart and profess by mouth the Holy Catholic Faith that the Roman Church believes, professes, preaches and follows, and I consequently abjure, renounce and retract every heresy that rears up against the Holy and Apostolic Church, whatever sect or error it belongs to." And so on, as was stated above.[426]

"Also, I swear and promise that such-and-such and such-and-such actions of mine, because of which I rightly have a bad reputation for such-and-such and, in addition, you consider me suspect" – they should be listed – "I will never from now on do or say or have them done.

"Also, I swear and promise that every kind of penance that you will decide to impose upon me for the foregoing I will fulfill to the best of my abilities and will not obstruct in any regard.

"So help me God and these Holy Gospels!

"If in the future I act | contrary to these oaths and abjurations, which 235B
God forbid, I, in the present time with reference to the future, freely subject, bind and obligate myself to the penalties appropriate under the law for such people, so that I will be punished with them, when it is legally proven that I committed such acts."

It should be noted at this point that if the indications are of such a kind and so strong that with or without the bad reputation that has been mentioned they render this person with the bad reputation vehemently suspected of heresy, then he will make a general abjuration of heresy in the manner described, and if he relapses into any heresy at all, he will be punished with the penalty appropriate for the relapsed, as is stated in Chapter "*Inter sollicitudines*" ("Canonical Purgation") and in Chapter "*Accusatus*" ("Heretics," *Liber Sextus*).

[426] 230D. At this point in the corresponding section *Memorandum* (484–485), there is an elaborate renunciation of the Heresy of Sorceresses: "A) I swear that I believe in heart and profess by mouth that I should inviolably maintain the faith that I took up in the Sacred Font of Baptism, even at risk of my well-being, always being subject to obedience to the Apostolic See. B) Also, I swear that I believe in heart and profess by mouth that Christ the Lord is the redeemer of souls and savior of the soul and body of all those who adhere to Him in true faith, hope and charity, and as at the time of my baptism, now too I renounce the Devil and all his pomp and most foul works. C) Also, I swear that all sorceresses who in any way inflict harm on humans, domestic animals and the fruits of the earth commit these acts through God's permission with the help of demons, with whom and with all the evils angels of Satan they will be tortured with eternal flames, being handed over to them in body and soul."

If the indications are so moderate and light that even with the bad reputation they render him suspected of heresy not vehemently but only lightly, then it will be sufficient for him to make a specific abjuration of the heresy for which he is considered suspect and not a general or simple abjuration. Hence, if he relapses into another form of heresy, he will not be punished with the penalty appropriate for the relapsed, but if he does relapse into the same heresy, by reason of the abjuration, that is, because he made the abjuration when lightly suspected, he will not
235C be punished with the penalty appropriate for the relapsed, although | he will be punished more harshly than would otherwise be the case if he had not made the abjuration, all of this being explained in the beginning of Chapter "*Accusatus*" ("Heretics," *Liber Sextus*").[427]

Regarding canonical purgation, it is a doubtful point whether he should be stricken with the penalty appropriate for the relapsed, that is, with the death penalty, if after the canonical purgation he relapses into the same form of heresy as the one for which he purged himself in the canonical manner. It seems that the answer is that he should be according to the first Chapter "*Excommunicamus*," § "*Adiicimus*," phrase "*Vel si post purgationem*," and Chapter "*Ad abolendam*" § "*Illos quoque*" ("Heretics" in the old ones).[428]

The notary should make sure that he writes in the records whether the person made the abjuration as someone suspected lightly or strongly of heresy, because this makes a big difference, as has frequently been stated elsewhere.[429]

When these things have been done, the sentence or sentence to penance will be passed in a formula of the following content.

"We, (Name), bishop of Such-and-Such city (or judge in the lands subject to the rule of Lord Such-and-Such), noted carefully that you, Such-and-Such, from Such-and-Such place and of Such-and-Such diocese, were denounced to us for such-and-such heretical depravity," – these should be listed – "and wishing, as was our obligation, to be
235D judicially informed as to whether you | have fallen into this condemned heresy, we resorted to conducting an inquisition, examining witnesses, summoning and questioning you under oath, and doing the other things

[427] This sentence is an elaboration on Eymeric, who speaks only of relapse into another form of heresy.

[428] The sense of these words, which are not found in Eymeric, is not self-evident, but since there is a variant of "*autem*" for "*quoque*" in the text of the canon, perhaps the sense is that the latter reading is being ascribed to old manuscripts.

[429] 230A, 231B, 233B, D.

that were to be done by us, conducting the proceeding as was fitting. Having done these things, and having seen, carefully scrutinized and at the same time examined the merits of the proceedings in a case of this kind, each and every one of the transactions and dealings being brought forth, and having many times convened regarding and concerning these matters a mature and thoughtful panel of theologians and legal experts, we found that you had a general bad reputation for this heresy in Such-and-Such place (or places) among good and important people, because of which, as ordered by the Canon's regulations, we enjoined upon you canonical purgation, by which you purged yourself and at the same time your compurgators purged you. We also found that you committed such-and-such acts," – these should be listed – "because of which we not unreasonably held you to be vehemently suspected" – or "lightly"; whether it is the one or the other should be stated – "with reference to the heretical depravity mentioned before. Because of these things we made you, | as one suspected in this way of heresy, abjure the heresy." 236A
It should say "every heresy" if he has made the abjuration as someone vehemently suspected, and "the heresy mentioned above," if he did so as one lightly suspected. "Because we cannot and ought not to tolerate in any way such things as you did, but rather are forced to shun them at the urging of justice, in order that you will be rendered more cautious in future, that crimes will not remain unpunished, that others will not be rendered more prone to commit such acts, and that injuries to the Creator will not be tolerated with indifference, we, the aforementioned bishop (or judge), sitting before the tribunal in the manner of judges passing judgment, with the Sacrosanct Gospels set before us, in order that our judgment should come forth from the face of God and our eyes should see fairness, in the following manner sentence or sentence to penance you, the aforementioned Such-and-Such, who have been purged and made an abjuration and are in person placed here before us in this place and hour assigned to you. You are obligated" and so on. Punishments considered more conducive to the honor of the Faith and to the extermination of heretical depravity should be set down, that is, that on prescribed Sundays and Feast Days he should have to stand at the entrance of such-and-such or such-and-such | church with a candle 236B
of such-and-such a weight in his hand while the Rites of the Mass are being celebrated and with his head uncovered and feet bare, and that he should have to fast on prescribed Fridays, and that for a fixed time he should not dare to leave that place but should have to present himself on prescribed days of the week to the bishop or judge, and similar things

that it will seem to be necessary to enjoin depending on the dictates and nature of the instances of guilt, it not being possible to give one general rule.

"This sentence was passed . . . "

When this sentence has been passed, it should be carried out. It will be possible for it to be remitted or lessened or changed according to whether the case, the correction of the penitent and his humility demand these things, since the bishop and judge have this power (according to the law, as is explained in Chapter "*Ut commissi*" in "Heretics," *Liber Sextus*).

[Note on Sources
Major identified source for Q. 26:
Eymeric, *Dir.* Pt. 3 "Method 7 of ending a process involving the Faith" (*de septimo modo finiendi processum fidei*)]

## question twenty-seven: the method of passing sentence on a woman who has confessed heresy but is penitent

METHOD Eight of bringing to an end and finishing proceedings involving the Faith and of passing sentence is when the person denounced for heretical depravity, after a careful examination of the merits of the proceedings with a good panel of legal experts, is found to have confessed heresy, to be penitent, and not otherwise to have relapsed
236C in fact. This is when the denounced person confesses | in court before the bishop and inquisitor[430] under oath that is it true that for such-and-such length of time he remained and persisted in that sort of heretical depravity for which he was denounced or in another, and believed and adhered to it, but afterwards, at the urging of the bishop and of the others, wishes to veer back and return to the embrace of the Church and to abjure both that heresy and every other one and to make satisfaction in the manner that they choose to ordain, and it is not found that he ever made an abjuration of any other kind of heresy but is now prepared to make an abjuration with a ready spirit.

The procedure to be followed in the case of such a person is as follows. Granted that he remained for many years in this heresy and in any other ones, and believed and practiced them, and led many others to errors, if in the end he agrees to abjure those heresies in reality and to make

[430] Another instance of forgetting to convert a mention of an inquisitor in Eymeric's original text into a mention of a judge.

appropriate satisfaction at the discretion of the bishop and ecclesiastical judge, he is not to be handed over to the secular arm to be stricken with the death penalty, nor, if he is a cleric, is he to be defrocked, but he is to be granted mercy according to Chapter "*Ad abolendam*," § "*Praesenti*" (*Extra*, "Heretics"). Having first abjured the heretical depravity, he is to be remanded to life imprisonment | according to the second 236D
Chapter "*Excommunicamus*" § "*Si quis*,"[431] once the benefit of Absolution has been granted to him and what is customarily enjoined upon such people according to Chapter "*Ut Officium*" has been enjoined upon him, provided that careful precaution is taken to make sure that he is not returning fraudulently with feigned pretence. Also, they may not impede the secular arm.[432]

The method of making the abjuration is the same as the one described above, with the addition, however, that he should by his own mouth confess his crimes in church before the congregation on a Feast Day, in the following manner.[433] When the official asks, "Did you for such-and-such number of years persist in this Heresy of Sorceresses?" he will answer, "Yes." Then, when the official asks, "Did you commit such-and-such and such-and-such acts, as you confessed?" he will answer, "Yes," and so on. Then, after all the questions, he will make the abjuration on bended knees.

Because the person who has in this way been caught in heretical depravity is excommunicate according to the first and second Chapters "*Excommunicamus*" and he has through his abjuration returned to

[431] "*Si vero aliquis*" according to the modern text.

[432] This last sentence is an addition to Eymeric, the purpose being to enjoin ecclesiastical judges involved in such cases not to interfere if the secular arm wishes to have repentant sorceresses burned alive on account of the "temporal losses" inflicted by them.

[433] This paragraph represents a major abridgement of the procedure in Eymeric. There the abjuration forms part of a great ceremonial that is performed in church on a Sunday in place of the normal service (and thus should not take place on a major holy day). The person to make the abjuration sits in a prominent place while the inquisitor preaches against the heresy of which he is guilty. Then, if the inquisitor is confident that the person will respond as expected, he is to ask (at length) if he wishes to avoid going to hell and to enter heaven by abjuring heresy. If the inquisitor thinks that the person may balk at this, he is simply to ask if he is willing to make the abjuration, which then follows. At the end, the inquisitor congratulates the person on his decision and warns him to keep good company because if he is found to relapse, he will be handed over to the secular arm for execution. All this is changed here. The accused is simply to make a public confession of his crimes, and there is no mention of mercy because it is fully expected that the person will then be executed (though of course for "temporal losses"). The purpose of the ceremony in Eymeric is to demonstrate at once the triumph of the church over heresy and its mercifulness. Here the ceremony has been converted into a "public demonstration of the loathing felt for so great a crime" (to borrow a phrase used often). Oddly, this addition uses the generalizing masculine rather than the feminine that usually appears in the provisions that are added to Eymeric.

the embrace of the church, accordingly, the benefit of absolution is to be granted to him according to the beginning of Chapter "*Ut officium*" ("Heretics," *Liber Sextus*). Hence, after the abjuration he is to be absolved in the way that bishops can grant absolution from the
237A major[434] |excommunication, since they enjoy Apostolic authority.[435] The sentence should be passed immediately in the following manner.

"We, Such-and-Such, bishop of Such-and-Such city (or judge in the lands subject to the rule of Lord Such-and-Such), noted that you, Such-and-Such, from Such-and-Such place and of Such-and-Such diocese, were denounced to us for heretical depravity by the report of public rumor and by the report of trustworthy informants. Our heart was very keenly wounded by the denunciation that you were tainted with this depravity for many years to the great detriment of your soul, and because it is incumbent upon us, on the basis of the task entrusted to us, to plant the Holy Catholic Faith in the hearts of men and to root heretical depravity out of their minds, we wished, as we were and are obligated, to be more reliably informed regarding and concerning these matters and to see if the uproar that had reached our ears was based upon any truth, in order that if the truth was so, we might make provision for an opportune and salubrious cure. Hence, we resorted to conducting an inquisition, examining witnesses and summoning you, and, in the most suitable way we could, we questioned you under oath regarding

[434] Theoretically, "minor excommunication" signified simple prohibition from taking the sacraments, while "major excommunication" was complete exclusion from "communion with the faithful" (*Liber Extra* 5.39.59), but in practice the former was always uncommon (and the category has since been abolished).

[435] The sense of this sentence is borrowed from Eymeric, but in the process has been garbled. In Eymeric, the inquisitor makes an extended address to the abjuror at the end of the abjuration. He congratulates him on his abjuration and warns him of the consequences of relapse. Then, after a prayer, the inquisitor adds, "By the Apostolic authority that I enjoy in this regard I absolve you of the sentence of the major excommunication in which you were ensnared," and restores him to communion. Institoris has transferred this statement to the bishop (since he is intentionally omitting the role of the inquisitor in the proceedings), but the "Apostolic authority" in question refers specifically to the fact that inquisitors of heretical depravity were directly appointed by the pope and therefore acted by his authority. Every year on Maundy Thursday the pope issued a bull excommunicating a long list of malefactors who harmed the Papal See (because of the date of issue, this bull was known as *In cena domini,* for that day's feast) and reserved for himself the right to grant absolution for the listed crimes, which included heresy. Hence, only the inquisitors could grant absolution under such circumstances. Bishops, on the other hand, because they lacked such authority, could not grant such absolution to heretics. In adapting Eymeric, Institoris apparently lost track of who was speaking the words. This error is rather surprising given that in the *Memorandum*, he notes that "it would be a very good idea for me to be present, on account of the Apostolic authority, which I cannot transfer."

and concerning the denunciations made against you, and did each and every thing that | was to be done by us according to the dictates of justice 237B
and the regulations of the Canon. Since it was our wish to bring a fitting end to your case and to see clearly what had been discovered, that is, whether you were walking in darkness or in the light and whether or not you were tainted with the stain of heresy, we ordained that a solemn panel of experts both in the faculty of Sacred Theology and in Canon and civil law should be convened before us, knowing that according to the Canon's regulations the judgment that is confirmed by the opinions of very many men is irreproachable. Having therefore convened a sensible, mature and thoughtful panel regarding and concerning each and every transaction and dealing in the present case, and having seen and carefully scrutinized the merits of the case and having weighed each and every one of the contents of it, we found that you have, by your own confession received by us in court under oath, been caught in many instances of the depravity of sorceresses" – the articles should be listed. "But since the merciful Lord, the Granter of Mercy, sometimes permits certain people to lapse into the various heresies and errors not only in order that Catholic men who are learned in the words of Holy Scripture should be trained, but also | in order that those who have lapsed in the 237C
Faith may thereafter become more humble and roused in the works of penitence, after carefully examining the merits of the case, we found that in adherence to the saner advice frequently urged upon you by ourselves and other upright men, you salubriously flew back to the embrace of Holy Mother Church and to her Unity, making a public declaration of the loathing you feel for these errors and heresies, and when you recognized the indisputable truth of the Holy Catholic Faith, you imposed it on[436] your inner bowels. For this reason we followed in the footsteps of Him Who wishes no one to be destroyed, and granted you the public warning that bestows help and consists of abjuration, causing you at the present time to make a public assurance by abjuring under oath all these heresies and every other heresy. When this abjuration was completed, we absolved you of the sentence of greater excommunication in which you were ensnared as a result of the lapse into heresy, and in reconciling you to Mother Church we restored you to the Church's Sacraments, provided that you returned to the Unity of the Church with a true heart and unfeigned faith, as we believe and hope that you have done.

[436] This is a misreading of Eymeric, who spoke of "fixing it in" the bowels.

"Since it would be very inappropriate to avenge injuries to temporal lords while tolerating with indifference injuries to God, the Creator of
237D all the Heavens, because it would be a much more serious thing | to harm eternal than temporal majesty, and in order that He Who feels mercy for sins should be merciful to you and you should be an example to the others, that crimes should not remain unpunished, and that you should be rendered not more prone but more disinclined to commit any other unlawful acts, we, the aforementioned bishop and judge (or judges) in this case involving the Faith, sitting before the tribunal in the manner" and so on as above, with the provision that he should put on the dark clothing, and so on.

"In our sentence we condemn you to life imprisonment, so that you will be constantly tormented there with the bread of pain and the water of adversity, reserving for ourselves intentionally and explicitly the absolute right to lessen, increase, change or revoke this sentence (penance) in whole or part, if and when and as often as this will seem necessary to us.

"This sentence was passed" and so on.

When this has been read, the judge should go through the following text or one of similar meaning word by word and read it out to the person upon whom sentence has been passed. "My son, your sentence (penance) consists of your bearing crosses throughout the entire span of your life, standing wearing them on the stairs at the entrance of such-
238A and-such | churches, and being in perpetual imprisonment on a diet of bread and water. But, my son, do not take this hard, because I assure you that if you endure with patience, you will find mercy from us. Do not be doubtful or despair, but hope tenaciously."

When these words have been spoken, the sentence should be turned over for appropriate execution. The dark garment mentioned above should be put on him immediately, and he should be put at the top of the stairs so that he can be seen from afar by those leaving the church. The staff of the secular court should surround him. At lunch time he should be taken to the prison, and afterwards the other things should be done in the way set down in the sentence.

While he is being clad and taken to the entrance of the church, the ecclesiastical judge should no longer take part.[437] If the secular court is satisfied with the arrangements, fine. If not, it should act as it pleases.

[437] The second half of this clause and the next two sentences are changes made in Eymeric's provisions. Eymeric goes on to discuss various procedural matters, since no further punishment is there envisioned for the accused. Here, of course, it is expected both that the secular court will have the sorceress executed and that their ecclesiastical colleagues will not interfere.

[Note on Sources
Major identified source for Q. 27:
Eymeric, *Dir.* Pt. 3 "Method 8 of ending a process involving the Faith" (*de octavo modo finiendi processum fidei*)]

## question twenty-eight: the method of passing sentence on a woman who has confessed heresy but is relapsed, though repentant

METHOD Nine of finishing and bringing an end to a proceeding involving the Faith is when the person denounced for heretical depravity, after a careful consideration of the merits of the proceedings with a good panel | of legal experts, is found to have confessed heresy and to be 238B
repentant but to have relapsed in reality. This is when the denounced person confesses in court before the bishop or judges that he has under other circumstances abjured every heresy (this being found to be so), and he afterwards believed such-and-such heresy (error), or that he had made an abjuration of a specific heresy (the Heresy of Sorceresses) and later returned to it, but afterwards, adopting sounder counsel, he repents, holds Catholic beliefs, and returns to the Unity of the Church. The Sacraments of Penance and the Eucharist should not be denied to such a person if he makes a humble request, but however much he may repent, he is nonetheless to be handed over to the secular arm as a relapsed person to be stricken with the death penalty. (This is understood of the situation when it is found that he made the abjuration as someone caught in heresy or as someone vehemently and not simply lightly suspected of heresy.)

The procedure to be followed in the case of such a person is as follows. If it is concluded in the mature and thoughtful panel of experts, which is convened several times if necessary, that the denounced person is legally relapsed, the bishop or judge will send to the denounced person in prison two or three upright men (preferably men under religious vows or clerics) | who are zealots for the Faith and who are not suspect or unwelcome 238C
in the eyes of the denounced person but welcome acquaintances. These men will go in to him at a suitably chosen hour and speak to him about contempt for this world, the miseries of the present life and the joys and glory of Paradise. Finally, after these preliminary remarks, they will indicate to him on behalf of the bishop or judge that he cannot escape death in this world, and that he should therefore take thought for the salvation of his soul and arrange for the confession of his sins and the

taking of the Sacrament of the Eucharist. They will visit him often, urging him to repent and to endure, strengthening him to the best of their abilities in the Catholic Faith. They should be eager to get him to confess and have the Sacrament of the Eucharist brought to him if he makes a humble request. For the Sacraments of this kind are not to be denied to such people according to Chapter "*Super eo*" (*Liber Sextus*, "Heretics.")

When the Sacraments have been received and the denounced person is well prepared for Salvation in the judgment of the upright men, after two or three days during which he is strengthened in the Catholic Faith and urged to repent, the bishop (or judge in his stead) will give to the bailiff of the place or the chief magistrate of the secular court the order that at such-and-such day and hour (not on a Feast Day) he should appear with
238D his staff in such-and-such street (place) (outside | the church) to receive from his court a certain relapsed person whom the bishop and judge will hand over to him, and that on the morning of that day or the preceding one he should have public announcement made by crier throughout the city or place in the places or streets where other announcements are normally made by crier, namely that on such-and-such day and hour in such-and-such place the preacher will give a sermon for the Faith and the bishop and other judges will condemn a certain person who has relapsed into heretical depravity, handing him over to the secular arm.

It should be noted at this point that if the person who has relapsed in this way is in Holy Orders, or is otherwise a priest, or is attired in the colors[438] of an order (monastic vow), then before he is turned over, he should be stripped of the prerogative of every ecclesiastical Order. Deprived in this way of each ecclesiastical office and benefice, he should be left to be punished with the appropriate penalty at the discretion of the secular power, as is stated in Chapter "*Ad abolendam*" § "*Praesenti*" ("Heretics").

239A When such a person is to be defrocked from his Orders | and handed over to the secular court, the bishop should convene the prelates and men under religious vows of his diocese, because the bishop can now (though he could not in the past) by himself, along with the prelates and various other men under religious vows and experts of his diocese, defrock someone in Holy Orders when he is to be left to the secular arm to be immured[439] for life for heretical depravity, according to Chapter "*Quoniam*" (*Liber Sextus*, "Heretics").

[438] The various orders of monks and friars had their own distinctively colored garb.
[439] For an explanation, see n. 406.

Upon the arrival of the day fixed for defrocking the relapsed person and handing him over to the secular arm (if he is in Holy Orders) or for abandoning him to it (if he is a layman),[440] the congregation gathers in some street or place outside the church and a sermon is made by the inquisitor,[441] while the relapsed person is placed there in a high location with the secular court in attendance. If the relapsed person is to be defrocked, he is set before the bishop dressed and fitted-out as he should be when acting as a priest in his Order, and the bishop, wearing his pontificals[442] and assisted by the prelates of his diocese, will defrock him from his Orders, beginning with the highest | and continuing step 239B
by step to the lowest. When bestowing Holy Orders, the bishop uses the words ordained for this by the church, and when defrocking he uses other words of a meaning opposite to those used for bestowing both the chasuble and the stole, and so on with the other items.[443]

When this defrocking is finished (it should be done according to the manner obligatory according to law or custom), the official will order the notary (or man under religious vows or cleric) to read the sentence. Whether it concerns a layman or a defrocked cleric, the sentence will be passed after the fashion of the following text.

"We, (Name), by God's mercy bishop of Such-and-Such city, and the judge in the lands subject to the rule of Lord Such-and-Such, noted, after being legally informed, that you, Such-and-Such, from Such-and-Such place and of Such-and-Such diocese, were denounced before us" – if such was the case; or "before Such-and-Such, the bishop and judges" – "for such-and-such heretical depravity or depravities" – these should be listed – "in which heresies, as has been legally determined, you were caught by your own confession and convicted by witnesses, and that after persisting in them for such-and-such time with obdurate spirit" – everything should be explained | – "you adopted saner counsel and made 239C
a public abjuration of these heresies in Such-and-Such place, renouncing and retracting them by the formula customary in the church, and that because of this the aforementioned bishop and inquisitor,[444] believing that you were truly converted to the embrace of the Holy Church of God, absolved you from the sentence of excommunication in which

[440] For the distinction in treatment, see n. 69.
[441] Once again, it has been forgotten to convert a mention of an inquisitor into one of a judge.
[442] Ceremonial attire for a bishop.
[443] All of this talk of defrocking heretical priests is copied tralaticiously from Eymeric and is basically irrelevant to the peasant women who are thought to be sorceresses.
[444] Another forgotten change.

you were ensnared, provided that you had returned to the Unity of the Church with a true heart and unfeigned faith, and imposed salubrious penance on you. Now, however, after the passage of such-and-such number of years since these events, you have been once more denounced to us for having fallen into the heresies that you abjured" – they should be listed. "Although it was unpleasant for us to hear such things about you, nonetheless, under the compulsion of justice, we resorted to conducting an inquisition, examining witnesses and summoning and questioning you under oath, as well as doing each and every thing that should be done according to the Canon's regulations. Since we wished to bring a fitting end to the present case, we ordered a solemn panel of experts both in the faculty of Theology and in Canon and civil law to be assembled, and having convened the mature and thoughtful panel of these men
239D regarding and concerning each and every one of | the transactions and dealings, and having looked at and carefully examined the merits of the case and weighed everything on level scales in the obligatory manner, we found legally, on the basis both of witnesses and of your own confession received in court, that you have fallen again into the heresies that you abjured. For we found that you said (or did) such-and-such things" – everything should be listed. "Because of this and by the advice of the panel mentioned above, we rightly held and hold you as a relapsed person according to the Canon's regulations. We report this with grief and grieve in reporting it. But at the urging of ourselves and of upright Catholic men, you have, by God's inspiration, returned to the embrace of the Church and to the truth of Her Faith, publicly declaring your loathing of the errors and heresies mentioned above and holding Catholic beliefs and avowing the Catholic Faith, and we have therefore allowed you to take the Church's Sacraments of Penance and the Eucharist, which you humbly requested. Since the Church of God does not know what more to do regarding and concerning you, in that She behaved in such a merciful way towards you, as we mentioned before, and you fraudulently took
240A advantage of the Church's trust | by falling into the heresies that you abjured, we, therefore, the aforementioned bishop and judges, sitting before the tribunal in the manner of judges passing judgment, with the Sacrosanct Gospels placed before us in order that our judgment should come forth from the face of God and our eyes should see fairness, holding before our eyes only God, the indisputable truth of the Holy Faith and the extermination of heretical depravity, in this place, day and hour previously assigned to you for hearing the definitive sentence, by our sentence judge you, Such-and-Such, to be truly relapsed into heretical

depravity, though repentant. We cast you out of our ecclesiastical court as someone truly relapsed, and we abandon you (hand you over) to the secular arm. Yet, we earnestly ask this secular court to moderate its sentence on you to avoid shedding your blood or endangering your life."[445]

With this, the bishop and his assessors will withdraw, and the secular court will carry out its duty.

It should be noted that although the bishop and inquisitor[446] should undertake the most vigorous efforts, both in their own person and through others, to cause the relapsed person | to repent and convert 240B to the Catholic Faith, nonetheless, after he repents and it is concluded in the panel's deliberations that although he is repentant, he is truly relapsed and as such should be handed over to the secular arm, they should not indicate to him in person that he is to be punished with such a penalty, because the face of the judge terrifies the person to be condemned and his words lead the person subject to punishment to be impenitent rather than to endure. For this reason, the judges should not have him brought into their presence at this point or before the sentence or after it, in order to prevent his being moved in spirit against them, which should be avoided with particular care in a capital case like this one. Instead, as has been mentioned, they should send to him some upright men (preferably men under religious vows and clerics) who are not unwelcome but welcome to him. These men will indicate to him the coming sentence of death that will be inflicted, strengthen him in the Faith, urge him to endure, and stay with him until he returns his spirit to his Creator. Let them therefore be careful, taking heed not to say anything because of which the relapsed person would anticipate his death.[447] For in that case they would be rendered irregular,[448] | and from 240C a situation where they should have acquired merit, they would take away with them punishment and guilt.

It should also be noted that sentences in which someone is turned over to the secular court do not normally take place on a Feast Day or Solemn Day or in a church. Instead, they happen outside in some street, because it is a sentence that leads to death and it is more seemly for such a sentence to be passed on a non-feast day outside the church, since Feast Days and churches are dedicated to God.

[445] The hypocrisy of this request to avoid bloodshed is all the more repugnant on account of its false protestation of sincerity.

[446] Another forgotten change.

[447] Presumably, a reference to suicide.

[448] Technical ecclesiastical term for someone who has a defect that impedes his performance of sacred orders.

[Note on Sources
Major identified source for Q. 28:
Eymeric, *Dir.* Pt. 3 "Method 9 of ending a process involving the Faith" (*de nono modo finiendi processum fidei*)]

## question twenty-nine: the method of passing sentence on a woman who has confessed heresy but is impenitent and yet not relapsed

METHOD Ten of bringing an end to proceedings involving the Faith and of passing sentence is when the person denounced for heretical depravity, after a careful examination of the merits of the proceedings with a good panel of legal experts, is found to have confessed heresy and to be impenitent and yet not relapsed. Such a situation is very rarely found, but we inquisitors have occasionally had experience with them.[449] The bishop and judges should not be in a hurry, if they do come across one. Instead, they should keep him well guarded in chains, even for
240D many months, and urge him to convert, | explaining that if he remains impenitent in this way, he will be damned in body and soul. If in the end it will not be possible for him to be broken down with fortunate or adverse circumstances or with threats or blandishments, so that he will veer back from his errors, and if he is given the suitable length of time mentioned before, the bishop and judges should get themselves ready to hand him over (abandon him) to the secular arm. They will send to the messenger[450] or bailiff or chief magistrate of the secular court a note ordering him to appear with his staff on such-and-such non-feast day at such-and-such hour in such-and-such place (outside the church),

[449] The sense of this is explained in a corresponding passage of the *Memorandum*: "This situation is found very seldom in the Heresy of Sorceresses, because when they confess their guilt, they never do this voluntarily or present themselves as being willing to defend this error, since common reason [*communis ratio*] loathes such errors. But if they are impenitent, they should be immediately left to the secular arm to be punished with the death penalty" (499). Eymeric's original advice for the situation in which a heretic refused to recant was that the bishop and inquisitor should take their time and attempt to win the heretic over. This procedure was obviously not relevant to the Heresy of Sorceresses for two reasons. First, the (innocent) accused have been tortured into confessing (such must be the sense of "they never do this voluntarily") and thus will not obstinately defend their views, unlike the Waldensians and other convinced heretics whom Eymeric had in mind. (The rationalization to explain the refusal of the supposed sorceresses to defend their beliefs is that this is contrary to "common sense.") Second, it is clearly foreseen that these "heretics" will be promptly burned alive (for the "temporal losses" that they have caused), and thus Eymeric's drawn-out efforts at inducing conversion are pointless.

[450] The text of Eymeric used for adaptation was apparently defective at this point. The text should indicate that a note or messenger was to be sent to the bailiff or chief magistrate.

where they will hand over to him a certain impenitent heretic, and to have a public announcement made by crier in the streets or places where announcements are normally made by crier, to the effect that on this day, hour and place a preacher[451] will make a sermon for the Faith and will hand over to the secular arm a certain heretic, and that accordingly everyone should come and be in attendance, receiving the usual indulgence.[452]

When these things have been carried out, he will be handed over to the secular court in the manner of the following text. He should, however, be admonished, in the manner previously cited, to veer back and repent, but if he is completely unwilling, sentence is passed.

"We, (Name), by God's mercy bishop of Such-and-Such town, and 241A
the judge in the lands of Lord Such-and-Such, noted that you, Such-and-Such, from Such-and-Such place and of Such-and-Such diocese, were denounced to us for heretical depravity" – the heresies should be listed – "through the denunciation of public rumor and the report of trustworthy informants that you persisted in those heresies and deeds for many years to the detriment of your soul. Since it is incumbent upon us as a result of our office to exterminate heretical depravity, and since, as we were obligated, we wished to be more reliably informed regarding and concerning these matters and to see whether you were walking in the darkness or light, we conducted a careful inquisition into these matters, and by summoning and successfully questioning you, we found that you were tainted with this heretical depravity. Since above all the desires of our mind it is a fixed goal of our heart to plant the Holy Catholic Faith in the hearts of the congregations and to root out heretical depravity, we employed, both in our own person and through others, various different suitable methods to cause you to veer back from these heresies and errors in which you had stood and were standing contumaciously and | 241B
obstinately, with obdurate spirit, just as you continue to do. But since your heart is assisted by the Foe of the Human Race[453] and he is rolling up and enveloping you in these errors, you were and are unwilling to veer back, and you prefer to incur the death of your soul in Hell and of your body on earth rather than to fly to the embrace of the Church and

[451] See n. 399.

[452] An indulgence was a remission of sin granted by papal authority in return for some meritorious activity. Eymeric often notes that those who attend the sentencing of heretics are to receive indulgences, but these passages are usually omitted here (and this one was probably left in inadvertently).

[453] I.e., the Devil.

to gain the profit of your soul, since you are given over to a reprehensible frame of mind. Therefore, since you have been ensnared by the Holy Church of God in the fetter of excommunication and have been rightly separated from the congregation of the Lord and deprived of sharing in the good things of the Church, and since the Church does not know what more to do with you, having striven to the best of her abilities to convert you, we, the aforementioned bishop and judges in a case involving the Faith, sitting before the tribunal in the manner of judges passing judgment, with the Sacrosanct Gospels placed before us in order that our judgment should come forth from the face of God and our eyes should see fairness, and having before our eyes only God, the Truth of the Holy Faith and the extermination of heretical depravity, on this day, hour and place previously assigned to you for hearing the definitive
241C sentence, condemn you | and in our sentence judge that you are truly an unrepentant heretic and as truly such a person should be handed over and abandoned to the secular arm. In this way, we cast you out of our ecclesiastical court as an unrepentant heretic and turn you over (abandon you) to the secular arm and to the power of the secular court, earnestly beseeching that court to moderate its sentence on you as to avoid shedding your blood or endangering your life.

"This sentence was passed . . . "

[Note on Sources
Major identified source for Q. 29:
Eymeric, *Dir.* Pt. 3 "Method 10 of ending a process involving the Faith" (*de decimo modo finiendi processum fidei*)]

## question thirty: the woman who has confessed heresy and relapsed and is impenitent

METHOD Eleven of bringing an end to and finishing proceedings involving the Faith is when the person denounced for heretical depravity, after a careful examination of the merits of the proceedings with a good panel of legal experts, is found to have confessed heresy and to be unrepentant and relapsed. This is when the denounced person confesses with his own mouth in court that he believes such-and-such and such-and-such and follows such-and-such practices.

Regarding such a person the procedure outlined above should be
241D followed, and sentence should be passed | in the manner of the following text.

"We, (Name), by God's mercy bishop of Such-and-Such city (or judge in the lands of Lord Such-and-Such), noted that you, Such-and-Such, from Such-and-Such place and of Such-and-Such diocese, were denounced to us (or to our predecessors)[454] for heretical depravity," – this should be listed – "in which, as was legally determined, you were caught by your own confession in court and by trustworthy witnesses, and that in those heresies you had persisted for such-and-such length of time with obdurate spirit," – the details should be stated – "but that afterwards you adopted saner counsel and abjured these heresies in Such-and-Such place in the formula customary in the church. Because of this the bishop and judge mentioned above, believing that you had truly veered back from these errors and, holding Catholic beliefs, flown back to the embrace of the Church, granted you the benefit of absolution, absolving you from the sentence of excommunication in which you had previously been bound and held, provided that you returned to the Unity of the Holy Church with a true heart and unfeigned faith. They enjoined upon you a salubrious penance and | granted you mercy, because the Holy Church of 242A
God does not close her embrace to someone who returns. After all this, however, you were denounced to us, as was unpleasant for us to learn, for again falling into the damned heresies that you had previously abjured in public" or "for committing such-and-such contrary to the abjuration" – this should be listed. "Though wounded with displeasure at hearing such things of you, under the compulsion of justice we nonetheless resorted to conducting an inquisition, examining witnesses, and summoning and questioning you under oath, as was fitting, and doing each and every thing that we were obligated to according to the Canon's regulations. Since we wished to bring the present case to suitable conclusion, we had a solemn panel of experts in both the theological faculty and Canon and civil law assembled, and having convened and even reconvened this mature and thoughtful panel of experts regarding and concerning each and every detail of the present case, bringing forward and producing the transactions and dealings, and having looked at and carefully examined the merits of the proceedings and weighed everything in a level balance, as right and justice urged, we found | legally, on the basis of both trustworthy 242B
witnesses and your own confession received repeatedly by us, that you had fallen and relapsed into the heresies that you had abjured. We found that you said (or did) such-and-such and such-and-such" – everything should be explained. "Because of this and on the advice of the panel

[454] In case the earlier abjuration was made before a previous bishop.

mentioned above, we are rightly forced by your excesses to hold you to be relapsed according to the Canon's sanctions, which we report with grief and grieve at reporting, as He Who is unaware of nothing and looks into the inner recesses of everyone's heart knows. Since we desired with all our heart, as we still do, to bring you back to the Unity of the Holy Church and to remove this heretical depravity from your bowels, we employed our efforts to make you save your soul and escape the death of your body and that of your soul in Hell, applying various appropriate methods to make you convert to salvation, but you, being given over to a reprehensible frame of mind through being simultaneous led and led astray by an evil spirit, preferred to be tortured with the savage and everlasting torments in Hell, and to be consumed in body by the flames here[455] rather than to adopt saner counsel, veering back from damnable
242C and baneful errors and flying to the embrace and mercy | of Holy Mother Church. Therefore, since the Church of God does not know what more to do with you, having used all her ability in trying to convert you, we, the aforementioned bishop and judges in this case involving the Faith, sitting before the tribunal in the manner of judges passing judgment, with the Sacrosanct Gospels placed before us in order that our judgment should come forth from the face of God and our eyes should see fairness, and having before our eyes only God and the honor of the Holy Orthodox Faith, on this hour, day and place previously assigned to you for hearing the definitive sentence, in our sentence we condemn you, Such-and-Such, who are placed in our presence, and in our condemnation we judge that you are truly an impenitent and relapsed heretic and are in fact to be handed over (abandoned) to the secular arm. In this way, we cast you out by this definitive sentence of ours from our ecclesiastical court as a heretic who is truly both unrepentant and relapsed, and hand you over (abandon you) to the secular arm and to the power of the secular court, earnestly beseeching that court to moderate its sentence on you so as to avoid shedding your blood and risking your life. This sentence was passed . . . "

[Note on Sources
Major identified source for Q. 30:
Eymeric, *Dir.* Pt. 3 "Method 11 of ending a process involving the Faith" (*de undecimo modo finiendi processum fidei*)]

[455] I.e., on earth.

## QUESTION THIRTY-ONE: THE PERSON WHO IS CONVICTED AND CAUGHT, BUT DENIES EVERYTHING 242D

METHOD TWELVE OF BRINGING an end to and finishing proceedings involving the Faith is when the person denounced for heretical depravity, after a careful examination of the merits of the proceedings with a good panel of legal experts, is found to be caught in heresy by evidence of the deed or the legal production of witnesses, but not by his own testimony. This is when the denounced person is legally convicted of some heretical depravity either through evidence of the deed in that he practiced[456] heresy publicly, or through legal witnesses against whom the denounced person could raise no legal objection, but nonetheless the person convicted and caught in this way firmly persists in his denial and without exception according to the notes made by Hostiensis in his *Summa* (Title "Heretics" § "*Qualiter quis in heresim deprehendatur*") and to the discussion above (Question Thirty-four).[457]

The procedure to be followed in the case of such a person is as follows. He is to be held in harsh imprisonment, in fetters and an iron collar, and he should be frequently and earnestly warned by the officials, | together 243A and separately, in their own person and through others, that he should reveal the truth to them, indicating to him that he should do this and confess his error in order to be granted mercy after first abjuring the heretical depravity, but that if he is unwilling and persists in his denial, in the end he will be abandoned to the secular arm and will not be able to escape temporal[458] death.

If, after being informed of this and given some time, he continues to persist in his denial, the bishop and officials should, sometimes together, sometimes separately, and sometimes by themselves, sometimes through other respectable men, bring first one witness, then another before themselves. They should instruct each to consider carefully the deposition that he has made and whether he spoke the truth or not, because he is not damning himself eternally and someone else on earth, and because he would be afraid to tell them at least secretly, so that this denounced person would not die unjustly.[459] They should endeavor to say to him

[456] For this Eymeric had "preached."

[457] This cross reference has been erroneously (and incompletely) left in from Eymeric's original, where it actually refers to his "Pt. 2, Q. 34."

[458] I.e., on earth.

[459] The printed version of text at the end of this sentence is a garbling of Eymeric, and the translation is an attempt to make some sense of what is printed. (Presumably, the text of Eymeric used for

such words that they can clearly see whether or not the depositions that they have given are true.[460]

If the witnesses persist in their assertion after being urged like this, and the denounced person persists in his denial, even so the bishop and officials should not be eager to decide the case immediately by passing sentence and handing the person caught in this way over to
243B the secular arm. Instead, they should hold him longer, urging first | the denounced person to agree to the assertion, and then the witnesses (separately)[461] to examine their consciences well. In particular, the bishop and officials should pay attention to the witness whom they see to be more inclined to good and who seems to have a better conscience, and they should importune him at greater length as to whether or not the matter happened as he stated in his deposition, laying this on his conscience. If they notice that one witness keeps changing his story back and forth or else gives indications that lead to a reasonable suspicion that he has told a lie, they should arrest him on the advice of the good panel of experts and institute proceedings as justice urges.

It has been found time and again that after a long period of persisting in his denial a person who has been caught in this way by trustworthy witnesses comes to his senses, especially when truthfully informed that he will not be handed over to the secular arm but is being granted mercy. He then reveals his depravity, freely confessing the truth that he has long denied. It has also frequently been found that when they are impelled by ill-will or overcome by enmity, witnesses have helped maintain each other's resolve to foist heretical depravity upon an innocent person, and then, after they are overwhelmed by bad conscience through the frequent
243C admonitions on the part of the bishop and the officials, | they are inspired by God to retract what they have said and confess that they maliciously foisted such a great aspersion upon him. For this reason, a person who is caught in such a way should not be finished off quickly with sentencing. Rather, this should be postponed, since he should be given one year or several before being handed over to the secular arm in this way.

If, after this suitable length of time has passed and fitting care has been taken, the person denounced in this way and legally caught admits

adaptation was defective.) The correct text of Eymeric says: "... and whether or not he told the truth, because if not, he is damning himself in the eternal life and another in the temporal one. They should tell him that he should not be afraid to tell them the truth, in secret at least, to avoid the unjust death of the denounced person."

[460] I.e., the witnesses. The sense of this has been made unclear through the addition of the phrase "to him" to the original text without the necessary change of the verb to the singular.

[461] It is not clear whether this means "separately from the accused" or "individually."

his guilt and confesses in court that he was for such-and-such length of time trapped in the noose of heretical depravity and agrees to abjure it and every heresy and to make suitable amends at the discretion of the bishop and inquisitor,[462] then as one caught in heresy both by his own confession and by the production of witnesses, he should, as a penitent heretic, make a public abjuration of all heresy by the formula discussed on the topic of Method Eight of bringing an end to proceedings involving the Faith (set out above).[463]

If he has confessed that he had fallen into heresy but persists in it with obstinate spirit, he will be handed over to the secular arm as an unrepentant person and should be dealt with by the method discussed on the topic of Method Ten[464] of bringing an end to proceedings involving the Faith, | where such people are treated. 243D

If the person caught persists without exception in his denial but the witnesses veer back from their assertion, retracting their testimony and admitting their guilt in that they foisted so great a stain upon an innocent person, being impelled by a grudge and hatred or led astray by entreaty or bribery, then after the person denounced has been released from the court as blameless, they will be punished as false witnesses, accusers or denouncers, as Paul notes on the word "*Illos*" in the beginning of Chapter "*Multorum*" ("Heretics" in the *Clementines*), and sentence (penance) will be passed against them at the discretion of the bishop and judges. (They should certainly condemn such false witnesses to life imprisonment, make them do penance on a diet of bread and water throughout the days of their lives, and later put them on the stairs in front of the entrance to a church, and so on. Bishops do, however, have the power to lessen or to increase the penalty after a year or some other period of time.)

If, after having been given a year or more or some longer and suitable length of time, the person caught in this way persists without exception in his denial and the lawful witnesses persist in their assertion, the bishop and judges should get themselves ready to abandon | him to 244A the secular arm, sending to him some upright men who are zealots for the Faith (preferably people under a religious vow)[465] and who are not unwelcome but welcome acquaintances in his eyes. They should indicate to him that he cannot escape death on earth while he persists in his denial

[462] Another failure to change this to "judge."
[463] Q. 27 (236B–238B).
[464] Q. 29 (240C–241C).
[465] I.e., monks and friars.

in this way, but will be handed over to the power of the secular court on such-and-such day as an impenitent heretic. In any case, the bishop and his officials should send to the bailiff or presiding magistrate of the secular court the order that on such-and-such day and hour and in such-and-such place (outside a church) he should come with his staff to receive a certain impenitent heretic whom the bishop will hand over to him, and also that he should have a public announcement made by crier in those places in which other announcements are commonly made by crier, namely that everyone should be present on such-and-such day and hour and in such-and-such place in order to hear the sermon that a preacher will give about the Faith and that the bishop and his officials will hand over a certain impenitent heretic to the secular arm.

Upon the arrival of the day assigned for the passing of sentence, the bishop and officials will appear in this place, with the person to be handed over present in a high location and the clergy and congregation gathered, so that he can be seen from far off by everyone. The chief magistrate of the secular court will be in attendance, and the person to be handed over will be standing.

244B After these things have been read,[466] | the sentence will be passed in the following manner.

"We, by God's mercy bishop of Such-and-Such place (or judge in the lands of Lord Such-and-Such), noted that you, Such-and-Such, of Such-and-Such place and of Such-and-Such diocese, were denounced to us for heretical depravity, and wishing to be made certain as to whether the things spoken about and against you were based upon some truth, and whether you were walking in the darkness or in the light, we resorted to informing ourselves, carefully examining witnesses and summoning and questioning you quite often under oath and granting you lines of defense, and doing each and every thing that we are obligated to do according to the Canon's sanctions. Since we wished to bring this case of yours to a fitting end, we had a solemn panel of experts both in the theological faculty and in Canon and civil law assembled, and having carefully examined the merits of the proceedings, with each and every transaction and dealing in the present case brought forward and produced, by the thoughtful and likewise mature advice of this panel, we

[466] As a result of clumsy adaptation, this reference in Eymeric to the preceding section that was excised has been inadvertently left in. (This omitted section laid out the procedure to be followed at the handing over of the heretic to the secular arm and ended with a reading of his crimes.)

found | that it had been legally proven against you that you were tainted 244C
for such-and-such length of time with heretical depravity, and we now find that you did and said such-and-such and such-and-such" – these should be listed. "On the basis of this, it is manifestly apparent that you are legally caught in this heretical depravity. We wished, as we still wish, that by confessing the truth you would veer back from this heresy and be brought back to the embrace of the Holy Church and to the Unity of the Holy Faith in order that in this way you should save your soul and escape the death of both soul and body in Hell. To this end, we applied our diligence, both through our own person and through that of others, and waited for you for a long period of time, but you, being given over to a reprehensible frame of mind, disdained to acquiesce in our sounder counsel and instead persisted and still persist in denial through obstinacy and contumely and with an obdurate spirit. We report this grieving and grieve in reporting it. The Church of God has waited for such a long time for you to veer back and admit your guilt, which you were and are unwilling to do, and has no further grace or reward to grant you, and therefore, in order that you should be an example to the others, that they should be kept back from heresies of this kind, and that such great crimes should not remain unpunished, we, | the aforementioned bishop 244D
and judges in a case involving the Faith, sitting before the tribunal in the manner of judges passing judgment, with the Sacrosanct Gospels placed before us in order that our judgment should come forth from the face of God and that our eyes should see fairness, and holding before our eyes only God and the glory and honor of the Holy Faith, define, declare, and pass as sentence on this day, hour and place assigned for hearing the definitive sentence, that you, Such-and-Such, who are set in our presence, are an unrepentant heretic to be handed over (abandoned) as such to the secular arm. By this sentence, we cast you forth from the ecclesiastical court as a truly obstinate and unrepentant heretic and hand you over (abandon you) to the secular arm and to the presiding magistrate of the secular court, earnestly beseeching the secular court to moderate its sentence against you in order to avoid shedding your blood or endangering your life. This sentence was passed . . . "

THE BISHOP AND JUDGES will be able to arrange that some upright men, who are zealots for the Faith | and who are not unwelcome but 245A
welcome acquaintances in the eyes of the person abandoned to the secular court, should stay with him until the secular court carries out its duty against him. They are to console him and to continue to urge him to

veer back from his errors by confessing the truth and admitting his guilt.

If the person who has been abandoned to the secular arm following the sentence happens to say, after he has been brought to the place where he is to be burned, that he wishes to confess the truth and admit his guilt, and if he does so and is prepared to abjure heresy of this kind and every other heresy, although it is presumed that he does this more through fear of death than through love of the truth, I would believe that out of mercy he could be received as a penitent heretic and imprisoned for life according to the gloss on the word "*Audientia*" in § "*Praesenti*" of Chapter "*Ad Abolendam*" and according to the second Chapter "*Excommunicamus.*" In the strict interpretation of the law, however, no great faith should be attached to such a conversion by judges in matters of the Faith, and indeed they can always punish him because of the temporal losses he has inflicted.[467]

[Note on Sources
Major identified source for Q. 31:
Eymeric, *Dir.* Pt. 3 "Method 12 of ending a process involving the Faith" (*de duodecimo modo finiendi processum fidei*)]

## question thirty-two: the person who is convicted but who is a fugitive or contumaciously absents himself

245B THE Thirteenth and last[468] method of bringing an end to proceedings involving the Faith and of passing sentence is when the person denounced for heretical depravity, after a careful examination of the merits of the proceedings with a good panel of legal experts, is found to be convicted of heretical depravity, but is a fugitive (contumaciously absent) and has been given a suitable period of time. This occurs in three situations. The first is when the denounced person is caught in heresy by his own confession or by evidence of the deed or by the lawful production of witnesses, but was unwilling to appear when legally summoned and has become a fugitive or absented himself. The second situation is when someone who has first been denounced and then considered somewhat or lightly suspect through the receipt of some sort

[467] The last clause of this sentence is an addition to Eymeric, and it refers to the secular judge and not to "judges in matters involving the Faith."

[468] This word is from Eymeric, and several further methods have been added specifically to deal with the Heresy of Sorcery (cf. 194B).

of information against him is for this reason summoned to answer a charge involving the Faith, and then, after he has been excommunicated for contumaciously refusing to appear, the excommunicate endures this excommunication with obstinate spirit, always absenting himself contumaciously. The third situation is when someone directly hinders a bishop's or judges' sentence or proceedings involving the Faith, | or when 245C someone who has given help, counsel or favor for this purpose contumaciously absents himself. Such a person is stricken with the sword of excommunication, and then if he has endured this excommunication for a year with obdurate spirit, he is to be condemned as a heretic according to § "*Prohibemus*" of Chapter "*Ut inquisitionis*" (*Liber Sextus*, "Heretics"). In the first situation, such a person is to be condemned as an impenitent heretic according to § "*Praesenti*" of Chapter "*Ad abolendam*," and in the second and third situations he is to be judged as an impenitent heretic but is to be condemned like or as a penitent heretic according to Chapter "*Cum contumacia*" and § "*Prohibemus*" of Chapter "*Ut inquisitionis*" (*Liber Sextus*, "Heretics").

The procedure to be followed in the case of any of these is as follows. Having been given an appropriate period of time, such a person should be summoned by the bishop and official in the cathedral of that diocese in which he committed the crime and in other churches of that region where he kept his permanent residence, especially the region from which he fled. He will be cited by the formula of the following text.

"We, (Name), by God's mercy bishop of Such-and-Such city" – and so on – "(or judge) send the spirit of sounder counsel to Such-and-Such of Such-and-Such diocese. | The Church in this diocese of 245D Such-and-Such is, I say, the vineyard of the Lord of Hosts, and the right hand of the Highest Father planted this vineyard by His virtue, the Son of that Father watered it abundantly with the liquid of His own life-giving blood, the nourishing Paraclete Spirit[469] made it fertile within through wondrous and indescribable gifts, and the unfathomable and impenetrable Holy Trinity both endowed and enriched it in a holy way with very great and varied privileges.[470] Every heretic can be called a boar, because he is in fact a boar from the forest, who destroys and ruins the plentiful fruits of the Faith by sowing the brambles of heresy among

[469] I.e., the Holy Spirit.

[470] Normally, the sample formulas of decrees that Eymeric provides are straightforward and legalistic, but for some reason he decided to show off his abilities as a composer of sermons in connection with the topic of excommunicating a fugitive from justice. Institoris dispensed with this in the corresponding section of the *Memorandum* but decided to include it here.

the vine shoots.[471] He is also called a coiling, poison-spitting snake, but he is actually the wicked Foe of our human race: the Devil and Satan. The wish that is fixed most of all in our heart, more than all the desires that we can conceive, is that in our times this Church should abound in plenty, and that the vine shoots and the fruits of this vineyard of the Lord should not be devoured and consumed by the heretical boar from the forest or poisoned by the snake's injection of the poison of heretical depravity into it. May this not happen to this field of the Lord, which, I say, is the Catholic congregation! For God the Father's first and only-begotten Son descended from the pinnacles of highest Heaven both to
246A cultivate and to plant it | through the sowing of wondrous and holy sermons. He roamed throughout its villages and castles, teaching with great care, and He chose and hired men who clearly were hard workers to be the Apostles, enriching them with eternal recompense. The Son of God expects that on that Final Day of Judgment He will gather plentiful handfuls from that great field and store them up in that Holy Granary of His in heaven by the hands of the Holy Angels. But there are Samson's crafty little foxes.[472] These foxes are like people depraved with the stain of heresy: while they have different faces, their burning tails are tied together, so that from their different varieties the flames unite in order to ruin with the bitterest bite[473] the Lord's crop, which is now ripe for the harvest and gleams with the splendors of the Faith. With the subtlest rushing about, they ruin that crop, and with the strongest assault they alight on and light it,[474] and scatter and destroy it, subtly and damnably undermining the integrity of the Holy Catholic Faith.

Accordingly, since you, Such-and-Such, fell into those damned Heresies[475] of Sorceresses, following their practices publicly in Such-and-Such
246B place" – this should be listed – (or "since you were | convicted of heretical

[471] The "boar from the forest" who ruins the vineyard planted by the right hand of God comes from Ps. 80:9–16.

[472] This image comes from Judges 15, in which Samson wreaks vengeance on some Philistines with whom he is unhappy (because his Philistine father-in-law had given away his wife) by setting their field alight with the peculiar stratagem of capturing 300 foxes, tying them together in pairs by the tail, attaching burning torches to the intertwined tails, and letting the beasts loose. The image was a popular one among ecclesiastics, appearing in the decretals "*Inter sollicitudines*" and "*Vergentis.*"

[473] The introduction of biting into the imagery of foxes with burning tails is seemingly out of place, but perhaps this is meant to recall the earlier image of the poisonous snake.

[474] The jingle "alight on and light" is an attempt to render the (more or less meaningless) Latin jingle *accedant et accendant* ("approach and set ablaze").

[475] The original phrase in Eymeric, which read "you manifestly fell into damned heresies, preaching them openly in such-and-such church," has been incompletely modified; the addition of the phrase "of Sorceresses" dictates that "heresies" should have been made singular.

depravity through lawful witnesses" or "caught by your own confession received by us in court") "and, after you were later arrested, you fled, rejecting the medicine for Salvation, we summoned you to respond more openly regarding and concerning these matters before us, and when you refused to appear, being led and led astray by an evil spirit . . . "

Or:[476] "Accordingly, since you, Such-and-Such, were denounced to us for heretical depravity and, when information was received against you, were otherwise lightly suspected in our eyes of being tainted with this stain, we summoned you to appear in person before us to make a response concerning the Catholic Faith, and when you contumaciously refused to appear when summoned, we excommunicated you and had your excommunication announced in public. You stayed in it for a year (or such-and-such number of years) with an obstinate spirit, lurking here and there, so that we have no idea where the evil spirit has taken you. While we mercifully and benignly awaited your return to the embrace of the Holy Church of God and the Unity of the Holy Faith, you disdained to do so, being given over to a reprehensible frame of mind. We wish, as we are bound to by the compulsion of justice, | to bring your case to an 246C
appropriate conclusion, and we are unable to tolerate such unspeakable crimes with conniving eyes. Therefore, we, the bishop and judges in the aforementioned cases involving the Faith, both demand and summon by our present edict that you, Such-and-Such, often mentioned as the one who is lurking as a runaway and fugitive, should appear in person before us on such-and-such day of such-and-such month in such-and-such cathedral of Such-and-Such diocese at the hour of the Terce Office[477] in order to hear the definitive sentence. We hereby declare that whether or not you appear, we will proceed to the definitive sentence against you in the way that the law and justice will urge.

"In order that our summons should come to your notice first and that you should not be able to defend yourself with the excuse of ignorance, it is our wish and command that this present letter of ours containing our demand and summons to you should be fixed in public on the doors of such-and-such cathedral mentioned above.

"In witness of these specifics, we have ordered that this present letter of ours be validated with the impression of our seal.

[476] Here we have for the first time alternative sentences, one for sorceresses and another for regular heretics, but this distinction probably signifies nothing. Both versions appear in Eymeric, but only the first was modified (clumsily) to refer to sorceresses.

[477] One of the canonical hours for saying the office, "terce" comes from the Latin for "third" and originally signified the office held at the third hour of the day (i.e., around 9 am).

"Issued . . . "

Upon the arrival of the fixed day assigned for hearing the definitive sentence, if the fugitive appears and agrees | to make a public abjuration of every heresy, asking in humble penitence to be granted mercy, it will, if he is not relapsed, be granted. If he was caught by his own confession or the lawful production of witnesses, he will make the abjuration and do penance as a penitent heretic according to the manner treated above on the topic of Method Eight[478] of bringing an end to proceedings involving the Faith, where such people are treated. 246D

If he is violently suspected, in that when summoned to make a response concerning the Faith he was unwilling to appear, and after being excommunicated for this he stayed in the excommunication for a year with obstinate spirit, but he repents, he will be granted mercy and will abjure every heresy and do penance as a repentant heretic violently suspected of heresy according to Method Six[479] of bringing an end to proceedings involving the Faith.

If he appeared and did not agree to make the abjuration, he will be handed over to the secular arm as a truly unrepentant heretic in the manner mentioned above (this is treated on the topic of Method Ten[480] of bringing an end to proceedings involving the Faith).

If he contumaciously refused to appear, then the sentence should be drawn up in the manner of the following text.

"We, (Name), bishop by God's mercy of Such-and-Such city,[481] noted that you, Such-and-Such, from Such-and-Such place of Such-and-Such diocese, were | denounced to us for heretical depravity through the denunciation of general rumor (or the report of trustworthy informants), and as is our duty because of our office, we resorted to conducting an investigation and inquisition into whether the uproar that had reached our ears was based on any truth. After we found that you were caught in heresy through the depositions made against you by very many trustworthy witnesses, we ordered you to be summoned before us and detained." It should state how it happened, that is, whether or not he appeared and confessed under oath while being questioned. "But afterwards, fearing to have your wounds healed for Salvation with wine and oil, you were led 247A

[478] Q. 27 (236B–238B).
[479] Q. 25 (232A–234C).
[480] Q. 29 (240C–241C).
[481] As usual, the reference in Eymeric to the participation of an inquisitor in these proceedings has been cut out, but its replacement with "and the judge . . . " has been inadvertently forgotten.

and led astray by an evil spirit and fled," or if such is the case, it should say:[482] "you both broke out of jail and fled, lurking here and there, so that we have absolutely no idea where this spirit has taken you." Or thus: "But after we discovered against you" and so on as above "who were denounced to us for heretical depravity, that there were many indications because of which we rightly considered you lightly suspected of the aforementioned heretical depravity, we summoned you by | public edict 247B in such-and-such and such-and-such churches of Such-and-Such diocese to appear before us in person in Such-and-Such place before a certain deadline established by us in order that you should respond regarding and concerning the depositions against you mentioned above, concerning the Catholic faith and its articles. But you, adopting insane counsel, contumaciously refused to appear, and though at the dictate of justice we have excommunicated you and had your excommunication publicly announced, you rejected the medicine for Salvation and endured and have been enduring this excommunication for more than a year with an obstinate spirit, being given over to a reprehensible frame of mind and lurking here and there, so that we have no idea where the evil spirit has taken you. Although for so long, that is, for such-and-such a length of time, the Holy Church of God has mercifully and benignly waited for you to fly back to the embrace of her mercy, veering back from errors and doing works according to the Catholic Faith that you have professed, and to be nourished with the plenty of her clemency, you, being led astray by the counsel of evil people, refused to acquiesce, persisting in your obstinacy. | Since we wished, as we still do and ought to under the 247C compulsion of justice, to bring your case to an appropriate conclusion through sentencing, we summoned you to appear in person before us on this day and hour in this place to hear the definitive sentence, but you contumaciously refused to appear, by a reasonable standard demonstrating your desire to remain in your heresies and errors for ever. We say this with grief and grieve in saying it. But since we cannot and do not wish to escape justice by stealth or to tolerate such disobedience and contumely towards the Church of God, in order to exalt the Orthodox Faith and to wipe out heretical depravity, as justice insists and your disobedience and contumely demand, on this day, hour and place previously assigned to you as the deadline for hearing the definitive sentence, we, sitting before

[482] The first situation, which has the accused merely fleeing rather than breaking out of jail (and then fleeing), is an addition to Eymeric's text. Presumably, the specific reference to breaking out of jail was too strong for the intended situation, namely the flight from justice of a woman accused of sorcery.

the tribunal in the manner of judges passing judgment, with the Sacrosanct Gospels placed before us in order that our judgment should come forth from the face of God and that our eyes should see fairness, and having before our eyes only God and the indisputable Truth of the Holy Faith, after convening a panel of many experts both in the theological faculty and in Canon and civil law, after looking at and examining the
247D merits of the proceedings, | pass against you, Such-and-Such, in absence as in presence, the definitive sentence that follows in this document, following in the footsteps of St. Paul the Apostle[483] and invoking the name of Christ. We, the aforementioned bishop and judges in a case involving the Faith, note that in this case involving the Faith and in the previous proceedings now completed, the legal procedure was observed; that when lawfully summoned you did not appear or excuse yourself in your own person or through someone else; that for a long time you persisted and are still persisting in the aforementioned heresies, and for such-and-such number of years you endured, just as you still endure, excommunication in a case involving the Faith with obdurate spirit; and that the Holy Church of God has nothing more that she can do with you, since you persist and wish to persist in this excommunication and these heresies. Therefore, following in the footsteps of St. Paul the
248A Apostle, we declare, | define and pass as our sentence that you, Such-and-Such, in absence as in presence, are an obstinate heretic and as such are to be abandoned to the secular arm. By this definitive sentence of ours, we drive you from the ecclesiastical court and abandon you to the power of the secular court, earnestly entreating that court to moderate its sentence against you to avoid shedding your blood and endangering your life when it has you in its power.

"This sentence was passed" and so on.

It should be noted at this point that if this contumacious fugitive was caught in heresy by his own confession or lawful witnesses and fled before the abjuration, he is to be judged a truly unrepentant heretic in the sentence, and this should be stated in it. If, however, the only way in which he was caught was that, after being denounced and considered suspect, he was summoned to respond concerning the Faith, and because of his refusal to appear he was excommunicated and remained in the excommunication for more than a year with an obdurate spirit, refusing
248B to appear, then such a person is to be judged not a heretic | but like a heretic and is to be condemned as such. This should be stated in the sentence, as was stated before.

[483] For the sense of this, see Pt. 2 n. 560.

[Note on Sources
Major identified source for Q. 32:
Eymeric, *Dir.* Pt. 3 "Method 13 of ending a process involving the Faith" (*de tredecimo modo finiendi processum fidei*)]

## question thirty-three: how to pass sentence on a person denounced by another sorceress who has been or is to be burned to ashes

METHOD Fourteen of bringing an end to proceedings involving the Faith and of passing sentence is when the man (woman) denounced for heretical depravity, after a careful examination of the merits of the proceedings with a good panel of legal experts with reference to the person giving the deposition, is found to be denounced for such heretical depravity only by another sorceress who has been or is to be burned to ashes. This can happen in thirteen ways in thirteen situations. The person thus denounced[484]

is found innocent and is to be completely absolved, or
is found in addition to have a bad reputation for such heresy in a general sense, or
is found, in addition to the infamy, to be subject in some way to being exposed to questioning under torture, or
is found to be lightly suspected of heresy, or
is found to be vehemently suspected of heresy, or
is found | to be violently suspected of heresy, or 248C
is found to have a bad reputation and at the same time to be commonly suspected,
and so on in the other situations in the manner discussed in Questions Twenty, down to Method Thirteen (inclusively).[485]

The first way occurs when the person is denounced only by a sorceress under detention and is not convicted by his[486] own confession or the

[484] This "method of sentencing" has no direct correspondence in Eymeric. Here a series of methods of sentencing is laid out specifically for use in connection with the Heresy of Sorceresses, and while these are clearly modeled on Eymeric's methods (see next note), this section was also inspired by Eymeric's discussion "On cases of vehement suspicion of heresy that are expressed in the law" (Q. 2.55), in that several of Eymeric's "cases" in which a person becomes vehemently suspected of heresy are adapted here. To avoid confusion with the "methods" deriving from Eymeric, these "methods" are translated as "ways (of occurrence)."

[485] This is a clumsy way of referring to Qs. 20–32, the last containing Method 13 of passing sentence.

[486] Initially, while it is a sorceress who is conceived of as making the denunciation, the person she accuses is described in the generalizing masculine. In the subsequent discussion of the various "ways of occurrence," the usage vacillates between conceiving of the denounced person as male or female, and this inconsistency will be (confusingly!) followed in the translation.

legal production of witnesses, and there are no other indications at all that could result in him being judged with probability to be suspected. Such a person is by all means to be absolved, even by the secular judge who either burned to ashes the sorceress who gave the deposition or was able to do so by his own authority or by delegation from the bishop in the latter's capacity as ordinary judge. The person will be absolved with the sentence contained in Method One of bringing an end to proceedings involving the Faith (Question Twenty).[487]

The second way occurs when in addition to the fact that he has been denounced by the woman under detention, she also has a bad reputation throughout the entire village (city), so that it was only and precisely this bad reputation that was worked up, although later the bad reputation is aggravated through the deposition of the woman under detention.

248D The following procedure should be observed regarding such a person. The judge notes that apart from the bad reputation nothing specific is proven against her by other trustworthy people in the village (town), and although the woman under detention has perhaps made a deposition about certain serious accusations against him, nonetheless, she[488] has lost faith[489] by renouncing her Faith to the Devil and hence it is difficult for judges to put faith in her words unless the bad reputation is aggravated by other circumstances (in which case it would fall into the third way, which comes next). Therefore, canonical purgation will have to be enjoined in such a situation, and the proceedings will be conducted according to the sentence contained in the discussion of Method Two of bringing an end to proceedings involving the Faith (Question Twenty-two).[490]

If a civil judge decrees that this purgation should be done solemnly before the bishop, so that if he fails, the person could in that case be punished with a penalty that is much harsher as an example to others, so be it. If the judge wishes to carry it out by himself, he should order
249A the person to get ten or twenty compurgators of his estate, | and he should conduct the proceedings in the manner discussed on the topic of Method Two[491] of passing sentence on such people, with the exception that in a situation in which the person is to be excommunicated, the judge should have recourse to the bishop. (This would happen in the situation where the person was unwilling to purge himself.)

[487] 225A–D.
[488] I.e., the convicted sorceress who made the denunciation.
[489] Something of a play on words in the Latin, in that the word that also means "faith" in the religious sense here means "credibility" or "trustworthiness."
[490] Actually, Method 3 is discussed in Q. 22 (227B–228D).
[491] Q. 21 (225D–227B).

The third way occurs in the case of such a denounced person when he is not convicted by his own confession or the lawful production of witnesses or evidence of the deed, and there are also no indications about any deed for which the other inhabitants of the village (town) had pointed the finger at him, except only that the bad reputation was worked up among them, and this bad reputation was aggravated by the deposition of the sorceress under detention in that while she claimed that he (she) had been her associate in everything and had participated with her in the crimes, either this very activity is not known to other inhabitants, just as it is without exception denied by the denounced woman, or there is general agreement among the inhabitants that there was only respectable behavior or participation on her part.[492]

Regarding such a person the following procedure is followed. First, they have to confront one another face to face. The mutual recriminations and responses are to be noted carefully, and if there in fact turns out to be some inconsistency in the words,[493] so that the judge | can 249B
reasonably presume on the basis of the admissions and denials that it would be just for the denounced woman to be exposed to questioning under torture, the proceedings should be conducted according to the sentences contained on the topic of Method Three of bringing an end to proceedings involving the Faith (Question Twenty-three).[494] She should be tortured lightly, and the large number of necessary stratagems explained at length above in the beginning of the present Part Three[495]

[492] At first sight, it is difficult to see how the third "way" differs from the second, since both basically consist of the denunciation made by a convicted sorceress being added to the bad reputation of the denounced person. It is to be noted that these "ways" are based upon the corresponding "methods" of Eymeric as laid out in earlier questions. Method 2 in Q. 21 (225D–227B) concerns someone who merely has a bad reputation and on this basis is sentenced to make an abjuration, while Method 3 in Q. 22 (227B–228D) concerns someone about whom there is either inconsistency in the person's own testimony or other indications, so that questioning under torture is warranted. The outcome in the second and third ways is the same, and there are cross references to the corresponding methods in the text. But the distinction between the two methods is not really relevant to the new situation. The reference in 249B to "other circumstances" that cause the second "way" to become the "third" is rather contrived, and it would seem that the distinction merely boils down to the question of the amount of credence placed in the denunciation. If it is not considered very credible, then an abjuration is called for (this is the second way), and if it is, then torture (this is the third).

[493] Presumably this refers to the words of the denounced woman. At any rate, it is supposed inconsistencies in the words of the accused that lead to the questioning under torture in Method 3 (227B–228D).

[494] The citation should be to Q. 22 (227B–228D).

[495] The relevant questions (15–16) are actually the last ones in Section 2 of Pt. 3, and later in the present question (250D) these very questions are again said to be the first of Section Three (for the layout of Pt. 3, see 193D–194B).

should also be used. On the basis of them a presumption is made as to whether she is innocent or guilty.

The fourth way occurs when the person denounced is found to be lightly suspected (either by his own confession or the deposition of another woman under detention). There are some who put into this category of light suspicion those who have consulted sorceresses to woo women, or the situation where they have produced love among spouses who were vexing each other with mutual hatred, or those who have toiled among sorceresses for the sake of some temporal gain.[496] But such people are clearly excommunicate as believers of heretics according to § "*Credentes*" of the first Chapter "*Excommunicamus*" (*Liber Sextus*, "Heretics"), where it says,[497] "We similarly judge believers in their
249C errors to be heretics," | since a presumption about intent is made on the basis of actions (as argued in 32, Q. 2 "*Qui viderit*"), and therefore, it seems that they should be punished and sentenced more harshly than those considered lightly suspected of heresy. In the same way, some are to be so judged on the basis of light conjectures, because, for instance, they rendered services to them, delivered letters, had no faith in their errors but failed to report them, or received alms from them.

Whether they are understood to fall into the first or the second category (which will be decided by a session of the panel), the judge will have to prosecute the light suspicion by the following procedure. Such a person will either make an abjuration or purge himself in the way prescribed by the Canon according to Method Four of bringing an end to proceedings involving the Faith, which is discussed in Question Twenty-four.[498] It seems that the abjuration is to be imposed (because of § "*Qui vero inventi fuerint sola suspicione notabili*" in the cited first Chapter "*Excommunicamus*"), but if they relapse, they should nonetheless not be punished with the penalty for the relapsed, and the proceeding will follow the method discussed on the topic of Method Four of bringing an end to proceedings involving the Faith in Question Twenty-four.

249D The fifth way occurs | when a person denounced in this way is found to be vehemently suspected (similarly, either by his own confession or the deposition of another sorceress under detention). There are

[496] Seemingly, the first two categories have not been discussed previously. Benign "love magic" was not considered culpable heresy. As for those who engage in sorcery for temporal gain, see 184A.

[497] Actually, though excessive abridgement, this reference has been garbled; the phrase is from the second chapter "*Excommunicamus*."

[498] The citation should be to Q. 23 (228D–230A).

those[499] who, on the basis of Chapter "*Ut inquisitionis negocium*" (*Liber Sextus*, "Heretics"), put into this category of vehement suspicion those who directly or indirectly hinder the office of those who are conducting inquisitions into sorceresses, provided that they do so knowingly. They likewise put into it all those who knowingly give aid, counsel and favor to those who hinder it (this is made clear by the cited Chapter "*Ut inquisitionis*"), and those who instruct summoned or arrested heretics about concealing or misrepresenting the truth or asserting falsehood (on the basis of § "*Si*"[500] of Chapter "*Accusatus*"), and those who knowingly harbor those whom they know to be heretics, bring them home, visit or associate with them, send them gifts or bestow favor on them. (When all these actions are done knowingly, they are done on behalf not of the person but of his guilt.)[501] Accordingly, they say that when the denounced person is a participant in these actions (which will be decided by a session of the panel), then he is to be sentenced according to Method Five of bringing an end to proceedings involving the Faith | in Question Twenty-five,[502] so that he has to make an abjuration of 250A
every heresy, subject to the penalty for the relapsed if he backslides.

We can assert in addition that judges should take into account the family and offspring (progeny) of every single sorceress who has been burned to ashes or is under detention. For the most part, the females are found to be tainted, since at the demons' insistence sorceresses have to offer them their own children and so without a doubt have to instruct them in every sort of crime. These matters are explained in the first part of the work,[503] and this is also proven through the fact that in simple heresy, when someone has a bad reputation because of close acquaintance with heretical relatives, he is vehemently suspected of heresy consequently on account of this close acquaintance, and exactly the same is the case in the Heresy of Sorceresses. The former situation is made clear in Chapter "*Inter sollicitudines*" (*Extra*, "Canonical Purgation"), where it is explained

[499] This merely refers to Eymeric (cf. how his ideas are vaguely cited in 186B–D). This and the subsequent three groups that are placed in the present "way" are derived from the cases in which someone becomes vehemently suspected of heresy in his question "On cases of vehement suspicion of heresy that are expressed in the law" (Q. 2.55); see n. 484.

[500] Eymeric actually says the "last" §, and the Latin abbreviation for "last" ("*fi.*" for *finalis*) was apparently misread as "*si*" (which oddly enough is the start of § 6, but the relevant sentence is in the last, eighth, §).

[501] In Eymeric, this sentence refers to the directly preceding list of activities that show favor towards heretics. It is not clear whether it is meant to have this narrow interpretation here or should cover the previous instances as well.

[502] The citation should be to Q. 24 (230A–231D).

[503] Presumably, Pt. 2, Q. 1, Ch. 13 (137A–141D) is meant.

that canonical purgation was enjoined on a certain deacon on account of a bad reputation for heresy, that a public abjuration was enjoined on him on account of his close acquaintance with heretics, and that on account of the scandal he was deprived of his benefice until the scandal died down.

250B The sixth way|occurs when a person denounced in this way is rendered violently suspect. This takes place not in the circumstance of a simple (bare) deposition made by another sorceress under detention but in one of the indications of the deed that are inferred from certain words that the detained sorceress uttered or deeds that she committed, it being claimed that the denounced woman was at least present during this or shared in the works of the woman giving the deposition. To understand these statements, note should be made of the things said above in Question Nineteen,[504] especially how violent suspicion arises from violent and compelling conjectures and how the judge is violently forced to believe on the basis of mere suspicion that someone is a heretic, though this person is perhaps a good Catholic in his heart.[505] This is the same as the illustration given by the canonists[506] for simple heresy, where someone summoned to respond in a case involving the Faith contumaciously refuses to appear and because of this contumely is excommunicated. When he remains in this excommunication for a year, he is rendered violently suspected of heresy. Hence, by similar reasoning note should be made of the indications of the deed that result in her being rendered violently suspect.

Let us posit the following situation. The sorceress under detention
250C claimed that the denounced woman | was present during her acts of sorcery, but the denounced woman denies this without exception. What will the judge do then? It will clearly be necessary to consider whether it is on the basis of some works that she is vehemently suspected and whether the vehement suspicion can turn into a violent one. In the previous situation, when the person summoned to respond does not appear but contumaciously refuses, he becomes lightly suspected of heresy, even though he was summoned in a case not involving the Faith, and if he refuses to appear when summoned in a case involving the Faith and is excommunicated for contumacy, then he becomes violently suspected since in that case the light suspicion turns into a vehement one, and then

[504] 221A–224D.
[505] For the details, see 222B–D.
[506] I.e., Eymeric, who is actually a theologian.

if he remains excommunicate for a year, the vehement suspicion turns into a violent one. Similarly, the judge will consider whether on account of the close acquaintance she formed with the sorceress under detention the denounced woman becomes vehemently suspected, as was discussed immediately above on the topic of the fifth way[507] of occurence. In that case, it will be necessary to consider whether the vehement suspicion can turn into a violent one. For in a situation where she has frequently had a close acquaintance with her, it is presumed that it can become violent, that is, that the denounced woman was present during the crime of the woman under detention. The judge will therefore have to conduct the proceedings according to Method Six of bringing an end to proceedings involving | the Faith in the way that is discussed in Question Twenty- 250D
six.[508]

If it is asked what the judge will do if a woman denounced in this way still absolutely persists in her denial despite whatever indications have been produced against her, the answer is that the judge should first consider whether or not the negative answers result from the vice (sorcery) of silence. Indeed, as was explained in the first questions (Fifteen and Sixteen) of the present Section Three,[509] the judge can examine whether she is able to cry and shed tears, and in the situation where she is rendered virtually incapable of sensation, so that she is readily restored to her original strength, the violent suspicion is then aggravated and she should absolutely not be allowed to go free. Rather, as in Method Six[510] of bringing an end to proceedings involving the Faith, which is explained above, she should be remanded to life imprisonment to do penance.

If she is not tainted with the sorcery of silence, as is made evident by the great agony that she really and truly endures in the questioning under torture, whereas others are rendered virtually incapable of sensation as a result of the sorcery of silence, as has been mentioned, then the | 251A
final recourse available to the judge is canonical purgation. (If this is enjoined by a secular judge, it will be called a permissible form of vulgar purgation[511] because it is not one of those vulgar purgations treated in 2, Q. 4 "*Consuluisti*" and "*Monomachiam*.") If he or she fails in this purgation, he or she will be judged guilty.

[507] 249D.
[508] The citation should be to Q. 25 (232A–234C).
[509] Qs. 15–16 (213A–216A and 216B–217D) are actually the last of Section 2.
[510] Q. 25 (232A–234C).
[511] I.e., it is not one of the "vulgar purgations" like an ordeal or duel that were prohibited under canon law; see Q. 17 (218A–219D).

The seventh way occurs when the denounced person is not found to be legally caught by his (her) own confession or by evidence of the deed or by the lawful production of witnesses, but he (she) is only found to have been denounced by the sorceress under detention and at the same time there are found to be indications that render him lightly or violently suspected inasmuch as he (she) had very close acquaintance with sorceresses. In that case, canonical purgation will be enjoined on the person on account of the bad reputation according to the cited Chapter "*Inter sollicitudines*," and the abjuration of heresy will be enjoined on account of the suspicion, with the penalty for the relapsed in the event of backsliding if the suspicion is vehement, without it if it is light. The proceedings should be conducted according to the procedure discussed on the topic of Method Seven of bringing an end to proceedings involving the faith (Question Twenty-seven).[512]

251B The eighth way occurs when | the person denounced in this way is found to have confessed the heresy but to be repentant and never to have relapsed. Here it should be noted that when there is talk of being relapsed and not being relapsed, and of being repentant and of not being repentant, such distinctions are made for the sake of ecclesiastical judges, who do not involve themselves in inflicting the death penalty. Hence, the civil judge can conduct proceedings involving a woman who has confessed, whether or not she repents or is relapsed, according to civil and Imperial laws[513] in the way that justice urges, though when some doubtful point comes up, he can resolve his uncertainty through recourse to the thirteen methods of passing sentence.

[Note on Sources
Major identified sources for Q. 33:
Eymeric, *Dir.* 3.50, 51, 55, 56]

## Question Thirty-four: The Method of Passing Sentence on a Sorceress Who Breaks Acts of Sorcery, and on Sorceress Midwives and Sorcerer Archers

METHOD Fifteen of bringing an end to proceedings involving the Faith and of passing sentence is when the person denounced for

[512] The citation should be to Q. 26 (234C–236B).

[513] "Civil" is the broad term for laws passed by temporal governments, while "Imperial" signifies the laws of the Holy Roman Empire.

heretical depravity is found not to inflict but to break acts of sorcery. The procedure to be followed in the case of such a person is as follows. He uses either | lawful or unlawful remedies, and if he uses lawful ones, 251C then he should be judged not a sorcerer but a worshipper of Christ (these lawful remedies were explained at length at the beginning of the present Part Three).[514] If, on the other hand, he uses unlawful ones, then a distinction should be made on the basis of whether they are unlawful absolutely or in some specific regard. If they are absolutely unlawful, then this is the case in two different ways, the remedies being implemented either with or without harm to one's neighbor,[515] though either way with an express invocation of demons. If, on the other hand, they are unlawful in some regard, for instance by taking place without an express, though not without an implicit, invocation of demons, such acts are judged to be the sort called vain rather than unlawful by the canonists and by certain theologians, as was explained above in Question One[516] of this last part of the whole work. Therefore, any judge, whether ecclesiastical or civil, does not have to rebuke the first and last group and in particular ought rather to praise the first and tolerate the last, since the canonists claim that it is lawful to smash vanities with vanities.[517] Nonetheless, these judges ought not to tolerate in any way those who do away with acts of sorcery through an express invocation of demons, and especially not those who commit such acts to the harm of a neighbor. (They are said to follow their practice to the neighbor's harm | when the 251D sorcery is removed by being inflicted on someone else, and it makes no difference whether or not the woman upon whom it is inflicted is herself a sorceress, or whether or not she is the one who inflicted the sorcery, or whether it is a human or any other creature.) All the deeds and acts related in Question One (cited above) shed light on these points.

It is asked what the judge will do when such a person claims to break acts of sorcery with lawful and not unlawful remedies, and how the judge could correctly decide such claims. The response is that when the person has been summoned, he is asked what remedies he uses, though his words should not be relied upon. But the ecclesiastical judge, upon

[514] Actually, the relevant discussion (153A–154B) is in the introductory question of Pt. II, Q. 2 ("whether it is permissible to break spells of sorcery through other spells or through unlawful methods").

[515] In Biblical contexts, the word that appears in the Latin version as *proximus* (literally, "someone closeby") is traditionally (and misleadingly in terms of modern English usage) translated as "neighbor," as in "Love thy neighbor as thyself" (Matt. 5:43).

[516] Actually, the unnumbered introductory difficulty of Pt. II, Q. 2 (152A–158D).

[517] A similar attitude of qualified toleration of superstitious but benevolent practices is exhibited in 158C, but all such remedies are rejected outright in 177C–D.

whom this is incumbent because of his office, should conduct a careful investigation of what remedies he uses, either by himself or through some parish priest who should make a specific inquiry of individual parishioners under oath, as he is allowed to do. If she is found to use superstitious remedies, as they commonly do, such women are not at all to be tolerated on account of the horrible penalties imposed by the canons, as will be explained below.[518]

If it is asked on what basis lawful remedies can be distinguished from
252A unlawful ones, since they always claim that they | remove such acts with certain prayers and the use of plants, the answer is that this would be easy, so long as a careful inquisition is conducted. Since they are obligated to conceal their superstitious remedies in order to avoid being censured or to ensnare the minds of simple folk more easily, they make use of such words or uses of plants. Yet, they are censured as fortune-tellers or sorceresses on the basis of four superstitious acts on their part.

There are some who perform divinations about hidden matters and disclose things that they can know only through the revelation of demons. For example, when people who have been harmed visit them to regain their health, they know how to disclose and reveal the reason for the harm or sorcery, so that if it happened as the result of a quarrel with a woman neighbor or for some other reason, they have absolutely full knowledge of this and know how to indicate it to their visitors.[519]

The second[520] is when they intervene to cure one instance of harm or sorcery but not another. This is the case with a certain sorceress of
252B the diocese of Speyer in a place called Zun Hofen.[521] | She seems to be able to heal quite a few people, but she admits that she cannot heal certain people at all, for no other reason, as the locals say, than that the acts of sorcery inflicted upon such people are so strongly affixed – she claims, by other sorceresses (clearly through the power of demons) – that she cannot remove them. Of course, the real reason is that one demon cannot always yield to another or is not willing to do so.

The third is when they are known to make individual exceptions regarding acts of sorcery inflicted in this way. A case like this is known

[518] The reference is unclear, since none of the penalties (horrible or otherwise) described later in the chapter relate to the treatment of those who break sorcery.

[519] Cf. the discussion of this topic in 155C.

[520] I.e., superstitious act.

[521] The location remains unidentified. The village of Höfen to the south of Karlsruhe was presumably part of the diocese of Strasburg.

to have happened in this same city of Speyer. When a respectable person was affected with sorcery in the shins and summoned a female diviner of this kind to regain her health, the diviner entered the house, and after looking at her made such an exception. She said, "If you do not have scales and hair in the wound, I will be able to pull out everything else." Although the woman had come from two miles away in the countryside, the diviner also revealed the reason for the harm, saying, "It happened to you because you quarreled with a female neighbor on such-and-such day." Apart from scales and hair she pulled out a large number of objects of various kinds and restored her to health.[522]

The fourth is when they make use of superstitious ceremonies or | 252C
have others do so, such as wishing to be visited before sunrise[523] or another fixed time, or saying that they cannot heal illnesses older than the last Ember Days[524] or that they can heal only two or three people in a year. (It seems that they[525] heal not by healing but by ceasing to harm.)

Very many other considerations concerning the circumstances of such people can be added. For the most part, in the past they had an evil and reprehensible way of life or a bad reputation or were adulteresses or the survivors[526] of sorceresses, and hence this grace of healing was not granted by God as the result of any holy way of life.

Incidentally, midwife sorceresses, who surpass all other sorceresses in their crimes, are included here (they were also mentioned in Part One[527] of the work).[528] Their number is in fact so great, as has been learned from their confessions, that it is thought that there is no village where their kind are not found. Clearly, governmental authorities could provide partial relief from this danger by licensing only midwives who

[522] For the notion that demonic "remedies" for sorcery actually signify simply that a demon has stopped causing harm, see 154D–155A, 174A, and 254B.

[523] Cf. the pre-dawn practice in 179D.

[524] See Pt. II n. 444.

[525] I.e., the demons with whom the supposed healers are co-operating.

[526] The interpretation of this expression has caused difficulties, but the sense is explained by the notion that sorceresses have to leave behind a daughter as a successor (see 141B). The implication here certainly is that the mother is dead, and may refer to the situation when she has previously been burned alive as a sorceress.

[527] Q. II (63C–64C); see also Pt. II, Q. I, Ch. 13 (137B–141D).

[528] According to the main table of contents (6A), Method 20 of sentencing deals with midwives, but there is no overt indication of a new topic here. The (here unlisted) Method 19 seemingly follows in the next paragraph. Perhaps the reason why these topics are listed in the inverse order in the table of contents is that the order is determined by the concluding paragraph (254B), where the midwives are mentioned first.

252D have taken an oath,[529] along with remedies mentioned in | Part Two[530] of the work.

Sorcerer archers are another incidental topic.[531] The safer the harborers, abettors and defenders whom they have in the lands of noblemen and princes are, the more dangerous is their existence, which clearly insults the Christian Religion. That all such harborers, abetters and so on are generally more damnable in certain situations than all the sorceresses is explained as follows. The defenders of such people are divided by canonists and theologians into two categories. While some defend the error and others defend the individual, the former are more damnable than those who hold the error since they are to be considered not simply heretics but heresiarchs, as is explained in 24, Q. 3, "*Qui illorum*." The laws generally do not speak of such defenders because they are not distinguished from other heretics, but the often cited Chapter "*Ad abolendam*," § "*Praesenti*" is relevant here. There are certain others who, while not defending the error, defend the person who holds the error inasmuch as they use their force and power to prevent such sorcerers or any other heretics from falling into the hands of a judge of the Faith for examination and punishment, and commit similar acts.

253A Similarly, their abettors fall into two categories.[532] There are some who exercise public authority, that is, people in government like temporal lords or spiritual ones who hold temporal jurisdiction,[533] and such people can be abettors in two ways, either through omission or commission. They do so by omission when they omit to do things that they are obligated to do about sorcerers or those suspected or defamed as

[529] In effect, midwives would belong to a guild. In the Middle Ages, organizations called guilds were set up to regulate the practices within specific specialized crafts, and anyone who wished to practice that craft had to be accepted into the local guild and swear an oath to uphold all guild regulations, which were enforced by officials appointed either by the guild itself or by the municipal government. Presumably, it is this sort of regulatory regime and not the oath itself that the author has in mind as a solution to the problem of murderous midwives.

[530] Presumably this is a general reference to the remedies described in Pt. II, Q. 2, since no "remedies" for sorceress midwives are treated there (or in the main discussion of such midwives in Pt. II, Q. 1, Ch. 13 [137B–141D]).

[531] According to the main table of contents (6A), Method Nineteen of sentencing deals with archer sorcerers, enchanters of weapons and any nigromancers, but there is no overt indication of a new topic here.

[532] This topic is apparently added to the section on male sorcerers because abettors are likewise regularly male, but in the table of contents (6A) there is no mention of this topic at all.

[533] The distinction is between simple secular lords and ecclesiastical figures who also directly rule their territories, a common phenomenon in the Holy Roman Empire. Interestingly, this distinction has been introduced into the source material in Eymeric, who in place of the ecclesiastical rulers specified subordinate officials of the secular lords.

such or believers, harborers, defenders and abettors, though they have been ordered to do so by a bishop and inquisitor[534] or by one of them. For instance, if they do not arrest them or carefully guard those who are under arrest, or do not take them to the place within their territory to which they have been commanded, or do not swiftly execute the sentence passed on them, or the like, as is explained in the beginning of Chapter "*Ut inquisitionis*" (*Liber Sextus*, "Heretics"). They do so by commission if, for instance, they release people under such arrest without the permission or order of the bishop or the judge responsible for that person, or directly or indirectly hinder the proceedings, passing of judgment or sentence concerning them, or commit similar acts, as is explained in the cited Chapter "*Ut inquisitionis*," § "*Prohibemus*." The penalties imposed on such people | are explained in the previous material 253B
at the end of the second principal division[535] of the work, where there is a treatment of sorcerer archers and other enchanters of weapons. For the present let it suffice to say that all such people are excommunicate by law and incur twelve great penalties, as is explained in the first Chapter "*Excommunicamus*," § "*Credentes*" (*Extra*, "Heretics") and the cited Chapter "*Ut officium*."[536] If they remain in this state of excommunication for a year with an obstinate frame of mind, then they are to be condemned as heretics, as is explained in the same chapter and paragraph cited.

As for the questions of which people are to be considered harborers and whether they are to be considered as heretics, the response is that those who receive such sorcerer archers or any sort of enchanters of weapons, nigromancers or heretical sorcerers (the people who have been the subject of this entire work), are divided into two categories just like their defenders and abettors.

There are some who take such people to themselves not just once or twice but several times and frequently, and by the sense of the word are properly harborers (*receptatores* from *receptare*), because the verb is a frequentative form.[537] | Such harborers are sometimes without guilt, 253C
that is, they do so through ignorance and never had any prior suspicion

[534] Another instance of forgetting to change a reference to an inquisitor in Eymeric to one to a judge.

[535] I.e., Pt. II. Apparently, 151C–D is meant, which is actually at the end of Pt. II, Q. 1.

[536] *Ut inquisitionis* is clearly meant.

[537] This is a term of Latin grammar. From certain verbs were formed secondary verbs which signified the intensive or repeated performance of the concept conveyed by the original verb. Hence, the verb *receptare* is derived from *recipere* ("to take, receive") and literally means "to receive repeatedly" and hence "to harbor."

of those people. Sometimes they do commit a guilty act, that is, when they know their errors and are not unaware that the church always persecutes such people as the cruelest foes of the Faith.[538] Yet, the lords of the earth nonetheless harbor them, hold them, defend them, and so on.[539] It is because such people literally are harborers of heretics that they are so designated, and the laws speak of them, saying that they are excommunicate according to the first Chapter "*Excommunicamus*," § "*Credentes.*"

Some people have not received sorcerers or heretics of this kind several times and frequently but just one or twice, and it seems that these people are not properly called "harborers" (*receptatores*), because the heretics did not visit frequently, but "receivers" (*receptores*), because they received the heretics rather than harbored them.[540] The Archdeacon does say the opposite on the topic of the word "*receptatores*" in Chapter "*Quicumque*," but there is little force in this since what we should care about is deeds and not words.

253D There is a difference between harborers and receivers in that lords of the earth are always called harborers of them, while simple people, who do not have the means or power to drive them out, are without guilt even if they do receive them.[541]

Finally, the question of the people who hinder the bishops' office of the inquisition against such sorcerer heretics: who are they and are they to be called heretics? The response to this is that hinderers of this kind are divided into two categories.

There are some who cause a direct hindrance, for instance, those who in their own rashness free from prison people who have been arrested on a charge of heresy or those who break up proceedings involving the Faith and inflict wounds on witnesses in a case involving the Faith for having given testimony. Another instance is if a temporal lord decrees that no one but himself should try this charge or that an accusation on this charge can be laid before no one but himself and that testimony can be given only before him, and the like. These people are said to cause

[538] The reference to these people being "the cruelest foes of the Faith" has been added to the source material from Eymeric and presumably reflects the idea that sorceresses are far worse than the regular heretics discussed by Eymeric.

[539] This reference to secular lords has been added to the source material in Eymeric and reflects the idea that the spread of sorcery is abetted by the refusal of secular powers to do anything about it (compare the discussion in 148C–150A).

[540] Another distinction based on Latin grammar: *receptor* is the agent noun derived from the verb *recipere*, while *receptator* is the form for the corresponding frequentative verb (see n. 537).

[541] Cf. the lenient treatment of the subordinates of lords who harbor sorcerer archers in 149C–D.

a direct hindrance according to the notes of John Andreae on the word "*directe*" ["directly"] in Chapter "*Statutum*" (*Liber Sextus*, "Heretics"). Also included are those who directly hinder the proceedings, passing of judgment or sentence in such a case involving the Faith or who give aid, counsel or favor in carrying out such acts.

Such people are very culpable, | but nonetheless, they are not to 254A
be judged heretics for this reason unless it is otherwise apparent that they are ensnared in similar errors of sorcerers with obstinate will. They are, however, stricken with the sword of excommunication by the law according to Chapter "*Ut inquisitionis*," § "*Prohibemus*," so that if they remain in that state of excommunication for a year, they are to be condemned as heretics, as is explained in the chapter and paragraph cited.

There are those who cause an indirect hindrance, such as those who decree that no one but members of the temporal lord's retinue should take up arms to capture heretics and the like, according to the notes of John Andreae on the word "*indirecte*" ["indirectly"] in Chapter "*Statutum.*" Such people are less culpable than those of the first category. They (including those who give counsel, aid or favor for this purpose) are not heretics but are excommunicate according to the cited Chapter "*Ut inquisitionis*," so that if they remain in this excommunication for a year with an obstinate frame of mind, they are to be condemned as heretics according to the cited chapter, § "*Prohibemus*." This is to be interpreted as meaning that they are condemned as heretics with the understanding that if they are willing to return to the church, they are granted | mercy 254B
after having first abjured the error. Otherwise, they are handed over to the secular court as unrepentant heretics, as is explained in Chapter "*Ad abolendam*," § "*Praesenti.*"

In conclusion. Sorceress midwives, like other sorceresses who inflict acts of sorcery, are condemned and sentenced according to the circumstances of the crimes, and so are sorceresses who break acts of sorcery in the superstitious manner discussed above[542] through the work of the Devil, since there is no doubt that they can inflict such acts in the same way that they can remove them. Consequently, by the demons' instructions the sorceresses come to some sort of agreement whereby some are supposed to cause harm, and others to heal, so that in this way they can all the more easily increase their breach of the Faith by ensnaring the minds of the simple folk.

[542] 251B–252A.

Since sorcerer archers and other sorcerer enchanters of weapons are supported only by the favor, defense and harboring accorded to them by governmental authorities, they all are subject to the penalties discussed above. Those who have at all impeded any officials in their duty against such sorcerers and their abettors and so on are similarly excommunicate and are subject to all the penalties as abettors. When they remain for a
254C year in that state of excommunication | with an obstinate frame of mind, then if they are willing to return to the church, they make an abjuration of hindering and abetting and are granted mercy. Otherwise, they are handed over to the secular arm as unrepentant heretics. Even before they have remained in a state of excommunication for a year, proceedings can still be instituted against such hinderers as abettors of heretics (this is argued in the last paragraph of Chapter "*Accusatus*").[543]

What has been said of the abettors, defenders, harborers and hinderers in a situation involving sorcerer archers and so on should also be understood in all regards concerning any sorceresses or sorcerers who inflict injuries on humans, domestic animals and the fruits of the earth. Any sorcerers who seek forgiveness in the forum of penance with a contrite and humbled spirit, bewailing their sins and making a genuine confession, are granted mercy. Otherwise, when they become known, those upon whom this is incumbent on the basis of their office should institute proceedings against them, summoning, arresting, seizing and conducting proceedings against them in all regards according to the circumstances of the crimes up to and including the definitive sentence in the way that has been treated, if and to the extent that such governmental
254D authorities | wish to escape the noose of eternal damnation on account of the excommunication imposed on them by the church.

[Note on Sources
Major identified source for Q. 34:
Eymeric, *Dir.* 2.51–54]

## question thirty-five of this last part: the methods of sentencing any sorcerers who lodge frivolous or unjust appeals

IF the judge perceives that the denounced person is in the end taking refuge in the remedy of appeal, the first thing to be noted is

[543] Oddly, Eymeric cites not the decretal "*Accusatus*" but the privileges of inquisitors granted in Urban IV's apostolic letter "*Prae cunctis*" and confirmed by subsequent popes.

that it is sometimes decided that an appeal is valid and just, sometimes that it is frivolous and void. The proceedings in matters of the Faith should be summary, simple and informal,[544] as has often been stated in the foregoing, on the basis of Chapter "*Multorum querela*" in the *Clementines*, where the remedy of appeal is in fact forbidden, but because it is sometimes the case that the hard work entailed by the matter means that judges readily postpone and delay it, they can note that in a situation where the denounced person feels that he has in fact been oppressed by the judge contrary to the law and justice on the grounds that the judge was unwilling to allow him to defend himself, or that by himself and without | a panel of others or the agreement of the bishop or his vicar 255A the judge sentenced him to questioning under torture, despite the fact that he could have got other sufficient proofs for and against him,[545] and the like, then in that case the appeal would be just. Otherwise, not.

The second thing to be noted is that when an appeal of this kind is presented to the judge, he ought to ask for a copy of the appeal without emotional consternation, making a verbal declaration that he need not hurry. He should note that when the denounced person hands over the copy of the appeal, he still has two days to respond and after this another thirty to present the attachment.[546] In the situation where he is very experienced and knowledgeable, he could immediately make his response and give one kind of attachment or the other, but in order for the proceedings to be conducted cautiously, it is better to set for the denounced person a deadline of ten, twenty or twenty-five days within which the kind of attachment that the judge decides to give will be given and received, the judge reserving the right to make a postponement within the statutory period of time.

The third thing to be noted by the judge is that within the statutory period of time he ought to carefully consider | and examine the reasons 255B for the appeal (the alleged prejudicial rulings). If, after convening a good panel of experts, he sees that he has unjustly and unduly oppressed the denounced person by not allowing him to defend himself or by exposing him to questioning under torture at an inappropriate time or the like, then upon the arrival of the deadline that he has set, he should correct

[544] 199B–C.

[545] The provision about other proofs is an addition to the source material from Eymeric.

[546] The *apostoli* (here translated as "attachment") was a letter that the judge against whom the defendant was appealing included with the appeal to indicate to the authority with whom the appeal was being lodged whether or not he agreed with the appeal (in the former case, the attachment was referred to as "reverential").

his error and bring the proceedings back to the point and the situation obtaining at the point when the defendant asked for lines of defense, or when the judge set a deadline for an interlocutory ruling or the like, and remove the prejudicial ruling. Once this is removed, he can carry out the proceedings as before, because when the prejudicial ruling is rescinded, the appeal, which had had some validity, is rendered void according to Chapter "*Cessante*" (*Extra,* "Appeals").

At this point the circumspect and prudent judge should note that while certain prejudicial rulings are remediable (these are the ones just discussed, and that discussion is relevant to them), others are irremediable, for instance, if the denounced person was actually and in fact questioned under torture and appeals after coming through it safely,[547] or if some valuables and other useful items were received at the same time
255C as containers and devices | that sorcerers use and these were burned,[548] and other acts that cannot be remedied or retracted. In that case the method just mentioned (returning the proceedings to the situation obtaining when the prejudicial ruling was imposed) would not be relevant.

The fourth thing to be noted by the judge is that he has thirty days from the day of his response to present the attachment according to Chapter "*Ab eo*" ("Appeals," *Liber Sextus*). He could set for the petitioner the last statutory day (the thirtieth) for the presentation of the attachment, but to prevent the appearance that he wishes to harass the denounced person and to make sure that he does not render himself suspected of undue harassment, thereby confirming the allegation of having made a prejudicial ruling against the denounced person, it is better to set a suitable deadline that is within the statutory period of time, for instance, ten or twenty days later. Later, upon the arrival of the deadline, he can, if he does not wish to settle the matter,[549] make a postponement, saying that he has been tied up with other affairs or the like.

The fifth thing to be noted by the judge is that when he sets a deadline for the appellant who is petitioning for an attachment, he should not set
255D one merely for giving the attachment | but for giving and receiving it at the same time, because if he assigns one only for giving it, then the judge against whom the appeal is being lodged would have to send it to the

[547] I.e., without confessing.

[548] This clause is an amusing adaptation of Eymeric's example: "or if books were received from him and then burned."

[549] Instead of this clause, Eymeric has: "if he sees this to be expedient."

appellant. He will therefore set him a deadline, that is, such-and-such day of such-and-such year, for the judge to give him such an attachment as he will decide to give and for the appellant to receive it from the judge.

Sixth, he should note that in setting this deadline he should not say in his response[550] that he will give a favorable or unfavorable attachment, but in order to deliberate more fully he should say that he will present such a letter as he will at that time decide should be presented.

He should also note that in setting this deadline for the appellant, he should, in order to thwart every stratagem, chicanery and evil intent on the appellant's part, specify the place, day and hour, for instance, setting the twentieth day of August of the present year at the hour of Vespers,[551] in the chamber of this judge located in such-and-such house[552] of Such-and-Such city (place), for the judge to give to Such-and-Such appellant such a attachment as he will decide should be presented and for him to receive it.

Seventh, he notes that if he decides in his mind to keep the denounced person in detention, as the crime requires and justice demands, in setting | 256A
the deadline he should write down that he is setting for this appellant such-and-such deadline for the judge to give the attachment and for the appellant to receive it in person, and is assigning such-and-such place to the same appellant for the judge to give the attachment to him and for him to receive it from the judge. In this situation, the judge has the discretion to detain the appellant, provided that an unfavorable attachment is first given; otherwise not.

Seventh,[553] the judge should note that he should make no alteration in the status of the appellant by arresting him or by questioning him under torture or by releasing him from prison or in some other way, from the hour when the appeal was presented to him until the hour when he hands over to him the unfavorable attachment.

In summation. Note that it often happens that when the denounced person is uncertain whether the sentence to be passed will be against him, he often resorts to the remedy of appeal in order to escape the judge's sentence by subterfuge since he is sure of his guilt. Hence, he lodges an appeal against the judge, citing frivolous reasons, for instance, that the judge kept him in detention after arrest and was unwilling to

[550] I.e., in his initial, verbal response to the lodging of the appeal.
[551] I.e., last afternoon office.
[552] Eymeric specifies "house of Preachers," meaning the local convent of Dominican friars.
[553] Should be "eighth." (In Eymeric, this sentence is simply an additional note in the seventh point; when this was converted into an independent point here, it was mistakenly given the wrong number.)

release him to a suitable surety, and other specious, frivolous arguments. When this appeal is presented to the judge, he should ask for a copy
256B of the appeal, and when | he has it, he should respond immediately or two days later, in this response fixing for the appellant the day, hour and place for the giving and receiving of the attachment that the judge will decide upon (within the statutory deadline, for instance, the tenth, fifteenth, twentieth or thirtieth day of such-and-such month). Within the period of time set for this deadline, the judge should carefully examine the copy of the appeal and the prejudicial rulings (reasons) because of which he is appealing, and with a good panel of legal experts he should deliberate about whether he should present an unfavorable attachment, that is, a negative response, thereby quashing the appeal, or a favorable attachment, that is, an affirmative response ("reverential letter") to be sent to the judge to whom the person is appealing, thereby deferring to the appellant. If the judge sees that the reasons for the appeal are false (frivolous) and void, and that the appellant wishes only to escape judgment through subterfuge or to delay it, he should give an unfavorable attachment (one of refusal). If, however, he sees that the rulings are in fact prejudicial, having been unjustly imposed upon him and being irremediable, or if he is uncertain whether this is so, or else, being worn
256C out by the malice of the appellant, | he wishes to relieve himself of such a burden, he should present to the appellant a favorable (or "reverential") attachment.

Upon the arrival of the deadline set for the appellant, if the judge has not yet drawn up the attachment (response), or is not ready for some other reason, he can issue a postponement, with either a single peremptory deadline or one after another, down to the thirtieth day, which is the final statutory deadline for presenting a favorable attachment. If, on the other hand, he has drawn it up and is ready, he can immediately give the attachment to the appellant.

If he decides to give an unfavorable attachment (one of denial), upon the arrival of the peremptory deadline set by him, he will present it in writing in the following manner.

"And the aforementioned judge, in response to the aforementioned interposed appeal (if it deserves to be called an appeal) states that he has conducted and intends to conduct the proceedings justly and in accordance with the Canon's sanctions" – or "Imperial statutes or laws" – "and did not deviate from the path of either[554] law and does not intend

[554] I.e., secular or ecclesiastical. This distinction is added to the discussion of Eymeric, who mentions only the "law."

to, and by no means made a ruling to the appellant's prejudice and does not intend to. He had no such understanding, as is made clear by the specious nature of the alleged reasons." | He should go through them 256D
individually. "For he did not make a prejudicial ruling in arresting him and holding him in detention after his arrest, because the judge was and is reasonably obliged to keep him in detention after his arrest as someone convicted of heresy" – or "vehemently suspected in the judge's eyes" – "since he was denounced to the judge for such-and-such heretical depravity, and the judge had many witnesses against him. Nor did the judge make a prejudicial ruling in his refusal to release him to a surety. Since the charge of heresy is one that concerns more significant crimes, and since the appellant persisted in his denial after being convicted, he was and is by no means to be released even to the greatest surety, but was and is to be detained in imprisonment." In this way, the judge should go through all the other reasons, and when this is done he should say the following. "Hence, it is apparent that the judge conducted the proceedings in an appropriate and just manner, by no means deviated from the path of the law, and did not make a prejudicial ruling in any regard. Rather, the appellant is striving to escape judgment through the subterfuge of using specious, contrived reasons to make an unjust and inappropriate appeal. For these reasons, his appeal is frivolous and void, having been lodged because of no prejudicial ruling and being errant in form and content. Since | the laws do not defer to frivolous appeals 257A
and neither should judges,[555] the judge states that he is not granting the appeal that has been lodged nor intends to do so, and that he is not deferring to him and does not intend to do so. He offers this response as an unfavorable attachment to the aforementioned Such-and-Such, who is making an inappropriate appeal in this way, and orders it to be immediately inserted directly after the appeal that was presented to him."

With this, he should hand it over to the notary who presented the appeal to him.

When the unfavorable attachment has been granted in this way to the appellant, the judge should immediately resume the proceedings and carry out his duty, ordering the person to be arrested (put into detention) or seized or giving him a deadline for his appearance before the judge, or something similar that would make it apparent that he is not ceasing to act as judge. He will resume the proceedings against the

[555] This clause is copied from the first line of *Liber Sextus* 2.2.5 ("*Quum appellationibus*"), which deals with frivolous appeals.

appellant until he is prohibited from doing so by the judge with whom the appeal has been lodged. The judge should, however, be careful not to make any alteration regarding the status of the appellant by arresting
257B him or, if he already has been arrested, | by releasing him from prison, or by doing anything else, from the hour when the appeal was presented to him until he grants to him the unfavorable attachment. From that point on, however, he will be able, as has already been stated, to do these things if justice requires, until he is prohibited by the judge with whom the appeal has been lodged. In that case, he should send the appellant to that judge with the protocols closed and sealed and with a reliable and safe guard, under appropriate surety, if necessary.

If the judge decides to grant a favorable attachment (a reverential letter), upon the arrival of the peremptory deadline assigned to the appellant for the giving and receiving of the attachment, he will grant it in writing in the following manner.

"And the aforementioned judge, in response to the appeal that has been lodged (if it deserves to be called an appeal) states that he conducted the proceedings in the present case in a just manner and as he ought to have and not otherwise, and does not think that he ruled to the prejudice of the appellant, as is clear in terms of the alleged reasons." He should run through them individually. "He did not rule to his prej-
257C udice in | saying . . . " He should run through the reasons for the appeal individually, responding in a better way[556] and as truthfully as he can.[557] He should conclude as follows. "Hence, it is apparent that the judge in no way ruled to the prejudice of the appellant or gave him cause for the appeal, and that instead the appellant feared that the proceedings would result in justice according to his demerits. For this reason, his appeal is frivolous and void, not having been lodged on account of any prejudicial ruling, and according to the law the judge should not defer to him. Out of reverence for the Apostolic See to which the appeal was made, however, the judge states that he is granting this appeal and is making and intends to defer to the appellant, remitting this entire matter to Our Most Holy Lord the Pope and to the Apostolic See and setting for the appellant a fixed period of time, namely such-and-such

[556] The sense of "better way" is not self-evident. Perhaps it means that in his response the judge should give a more favorable interpretation of his actions that have been cited as the grounds for the appeal.

[557] Note that at the least this clause implies a willingness to give an account that is less than fully truthful if not actually mendacious.

number of months counting from now, within which he has to present himself to Our Lord the Pope in the Roman Curia[558] with the closed and sealed protocols that will be turned over to him by the judge, either after giving suitable surety that he will present himself in the Roman Curia, or under a reliable and secure escort that will be granted to him by the judge."

The judge offers this response to this appellant as an affirmative 257D
attachment, and it is ordered that it should be inserted directly after the appeal that was lodged and presented to him. With this, the judge will turn it over to the notary who presented the appeal to him.

THE PRUDENT JUDGE SHOULD note that as soon as he grants the reverential attachment to the appellant, he immediately ceases to act as the judge in the case for which he lodged the appeal, and he can no longer take cognizance of it unless the case is remitted to him by Our Most Holy Lord the Pope. Hence, he can no longer intervene in that case except in sending the appellant in this manner to Our Lord the Pope and in assigning to him a suitable deadline, for instance, one of one or two or three months, so that the judge would be able in the meanwhile to prepare himself and make arrangements about the appellant, receiving appropriate surety from him about his appearance and about presenting himself in the Roman Curia | within the deadline 258A
that has been set. If the appellant cannot present such surety, he should be sent under a reliable escort, or he should oblige himself as best he can to present himself within the deadline that has been set to Our Lord the Pope in the Roman Curia. Otherwise, this will cause the appeal to fail.

If the judge has another case in which he is conducting the proceedings against her[559] but he[560] has not lodged an appeal, he will continue to act as judge as before. After the appeal has been allowed and the reverential attachment granted, even if the appellant is accused and denounced before the judge on other charges of heresy which were not at issue in the case for which he lodged the appeal, he does not cease to act as judge. Rather, he may proceed freely with informing himself and examining witnesses, just as before. Once the first case is finished in the Roman Curia or remitted to the judge, he is free to carry out the proceedings in the second one.

[558] The Roman Curia is the term for the papal administration.
[559] An inadvertent slip into the feminine gender.
[560] Back to the generalizing masculine.

Judges should note that they should send the protocols closed and sealed to the judges in the Roman Curia who are to render justice after examining the merits of the protocol. Inquisitors[561] should not take the
258B trouble to | litigate against the appellants there, but should send them off to be judged by judges responsible for them there.[562] If the inquisitors are unwilling to play a role against the appellants, these judges will, on the basis of their office, conduct the proceedings at the insistence of the appellants, if they desire an end to the matter.

The judges should also note that if they are summoned in person at the insistence of the appellants and they appear, they should nonetheless make sure not to take an oath in the case at all, but should take care to present the protocols and turn over the entire case, and be sure to return as quickly as possible in order to avoid being worn out by the fatigue, misfortunes, hard work and damnable expenses there. For in that case damage to the Church ensues and the heretics are strengthened, and afterwards the judges[563] do not find so much favor or reverence and are not feared in the way that their presence now causes. Also, when all the other heretics see that the judges are being worn out and detained in the Roman Curia, they will raise their horns, and they will feel disdain and malice, and become bolder in sowing the seeds of heresy. Then, when action is taken against them, they will appeal in a similar manner. The other[564] judges are also rendered feebler at prosecuting matters of
258C the Faith and exterminating heretics, | if they fear that through similar appeals they will be worn out by wearisome misfortunes. All these results will be highly detrimental to the interests of the Holy Faith and Church of God, and may the Church's Groom[565] deign to save her from each of them!

[561] Another reference to inquisitors that has been inadvertently left unmodified.

[562] The late medieval papal curia had a reputation for inefficiency and corruption, and the present denunciation comes from the personal experience of Eymeric, who introduces the passage (entitled "That inquisitors should not waste time in the Roman Curia") with the following statement: "Many years ago now, I, Brother Nicholas Eymeric, Inquisitor in Aragon, once wore down many men in the Roman Curia until their condemnation for the charge of heresy, as their demerits demanded, and conversely, I have also been worn down by various tedious, miserable toils and expenses, and so I have experienced the ways of the Curia. Hence, it is my advice that inquisitors should take care not to conduct personally or take part in matters of the Faith that are transferred by appeal to the Roman Curia unless they are confident that they have full pockets and great favor in the Curia and that their business will be finished in short order, things about which it is not easy to have reasonable confidence."

[563] I.e., ecclesiastical. (Here Eymeric was actually referring to the deleterious effect that it would have on bishops if the inquisitors were tied up with appeals in Rome.)

[564] I.e., secular.

[565] I.e., Christ.

Praise be to God, extermination to heretics, peace to the living, and eternal repose to the dead. Amen.

[Note on Sources
Major identified sources for Q. 35:
Eymeric, *Dir.* Pt. 3 "On an appeal that is lodged from an inquisitor" (*de appellatione que fit ab inquisitore*) and "That inquisitors should not waste time in the Roman Curia" (*quod inquisitores non debent moram trahere in romana curia*)]